

City of Broken Arrow

Minutes City Council

City Hall
220 S 1st Street
Broken Arrow OK
74012

Mayor Craig Thurmond
Vice Mayor Scott Eudey
Council Member Johnnie Parks
Council Member Debra Wimpee
Council Member Christi Gillespie

Monday, June 3, 2019

Time 6:30 p.m.

Council Chambers

1. Call to Order

Mayor Craig Thurmond called the meeting to order at approximately 6:30 p.m.

2. Invocation

Invocation was performed by Anita Manganaro.

3. Roll Call

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

4. Pledge of Allegiance to the Flag

Council Member Christi Gillespie led the Pledge of Allegiance to the Flag.

5. Consideration of Consent Agenda

Mayor Thurmond asked if there were any items to be removed from the Consent Agenda. There were none.

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

Move to approve the Consent Agenda.

The motion carried by the following vote:

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

- A. 19-649 Approval of the Special Joint City Council, Broken Arrow Municipal Authority, and Broken Arrow Economic Development Authority Meeting Minutes of May 9, 2019
- B. 19-11 Approval of City Council Meeting Minutes of May 21, 2019
- C. 19-629 Approval of and authorization to execute Resolution No. 1225, a Resolution adopting a Financial Policy for the City of Broken Arrow relating to maintaining Reserves in the General Fund
- D. 19-685 Approval of and authorization to execute rate confirmation from Minnesota Life Insurance Company to provide group term life, accidental death and dismemberment and supplemental life insurance to City employees
- E. 19-614 Ratification of 2018 Community Development Block Grant (CDBG) Resolution Contract/Agreement Renewal with Tulsa County from July 1, 2019 to June 30, 2020 for the East Detroit Street Rehabilitation Project (Project ST1921)
- F. 19-689 Approval of and authorization to execute Required Amendment to Tulsa County Community Development Block Grant (CDBG) Urban County Cooperation Agreement for Requalification Period of Fiscal Years 2020 - 2022
- G. 19-647 Approval of and authorization to execute a Promotional License on City Property between the City of Broken Arrow and Arts OK of Broken Arrow, Inc. to host the 2019 Tuesdays in the Park event
- H. 19-640 Approval of and authorization to execute an Amendment to Service Agreement No. 50006466 with Clean Uniform Company for non-public safety employee uniform rental service
- I. 19-613 Approval of and authorization to execute a First Amendment to the Professional Services Agreement between the City of Broken Arrow and Granicus, LLC to include the Broken Arrow Convention and Visitors Bureau website
- J. 19-641 Approval of and authorization to execute a Sales Purchase Agreement Contract Extension 4 with Petroleum Traders Corporation for the purchase of gasoline and diesel fuel
- K. 19-642 Approval of and authorization to execute a Transaction Confirmation Renewal (fourth contract renewal) with Tiger Inc. for third party natural gas supply
- L. 19-646 Approval of and authorization to execute a Parks and Recreation Use Agreement between the City of Broken Arrow and the R.C. Dickenson Family YMCA of Greater Tulsa for use of the Family Aquatic Center to teach swim lessons
- M. 19-588 Notification of City Manager's, Assistant City Manager's, and Department Director's execution of Professional Consultant Agreements with a value of less than \$25,000
- N. 19-695 Approval of and authorization to execute Change Order CO-3 for Construction

Contract ST1711; Old Town Streets - Rehabilitation of Ash Avenue from El Paso Street to Detroit Street as well as El Paso Street and College Street from Ash Avenue to Main Street

- O. 19-697** Award the lowest responsible bid to Cherokee Pride Construction, Inc. and approve and authorize execution of a construction contract for Wedgewood 2nd Addition Street Repair
- P. 19-652** Award the most advantageous bid to Allstate Termite & Pest Solutions and authorize the execution of the service agreement for pest control services at City facilities
- Q. 19-653** Award the most advantageous bid to Alpha Everclean and authorize execution of the service agreement for custodial services at the Public Safety Complex
- R. 19-703** Approval of and authorization to execute service agreement quote with Addco Electric for electrician services
- S. 19-702** Approval of and authorization to execute service agreement quote with Custom Services for heating, ventilation, and air conditioning service
- T. 19-704** Approval of and authorization to execute service agreement quote with Davis H Elliot Company for street light repair services
- U. 19-655** Approval of PT17-114, Conditional Final Plat, The Villas at Turnberry, a replat of Lot 1, Block 1, Turnberry Commercial, 9.77 acres, 24 Lots, CG (Commercial General) to CG (Commercial General) and RS-4 (Single Family Residential), southwest corner of 37th Street (209th East Avenue) and Dearborn Street (41st Street)
- V. 19-587** Approval of and authorization to execute Resolution No. 1218, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 4, which consists of 0.0309 acres of permanent Right-of-Way for the Broken Arrow Creek Trail located at 4025 South Ash Avenue, Broken Arrow in the Northwest Quarter of Section 26, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from Steven and Jill Jackson and authorization of payment in the amount of \$9,700.00 for the Broken Arrow Creek Trail, Phase 1, Parcel 4. (Project No. 146020)
- W. 19-698** Approval of and authorization to execute Resolution No. 1226, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 10, which consists of 0.11 acres of permanent Right-of-Way for the Olive Avenue Waterline, Tucson to New Orleans generally located on Olive between Florence and New Orleans in the Northwest Quarter of Section 28, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from Darrel and Lizette Wenzel and authorization of payment in the amount of \$12,850.00 for the Olive Waterline, Tucson to New Orleans, Parcel 10. (Project No. WL1610)
- X. 19-701** Approval of and authorization to execute Resolution No. 1230, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 3, which consists of 0.1914 acres of permanent Right-of-Way for the Jasper Waterline, Gardenia to Olive, located at 13108 E 131st St, Broken Arrow in the Northwest Quarter of Section 9, Township 17 North, Range 14 East, Tulsa County, State of Oklahoma, from SYW 2007 Trust and authorization of payment in the amount of \$13,500.00 for the Jasper Waterline, Gardenia to Olive, Parcel 3. (Project No. WL1901)
- Y. 19-712** Approval of and authorization to execute Resolution No. 1231, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 2, which consists of 0.1210 acres of permanent Right-of-Way for the Jasper Waterline, Gardenia to Olive, located at 13020 E 131st St, Broken Arrow in the Northwest Quarter of Section 9, Township 17 North, Range 14 East, Tulsa County, State of Oklahoma, from the Mary Katherine Perry Trust and authorization of payment in the amount of \$7,750.00 for the Jasper Waterline, Gardenia to Olive, Parcel 2. (Project No. WL1901)
- Z. 19-696** Approval of and authorization of the final acceptance of the public improvements on the 4th Street Renovation from Detroit to Midway project (ST1804) using Community Development Block Grant (CDBG) funds
- AA. 18-1438** Approval of the Broken Arrow City Council Claims List for June 03, 2019

6. Consideration of Items Removed from Consent Agenda

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

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

- A. 19-690** **Conduct a Public Hearing for the Proposed 2019-2020 Fiscal Year Budget**
City Manager Michael Spurgeon briefly reviewed the Proposed 2019-2020 Fiscal Year Budget via a Power Point presentation. He explained the City of Broken Arrow operated on a Fiscal Year Budget Cycle which ran from July 1 through June 30. He briefly explained the budgeting process and how the Budget was determined. He stated the Municipal Budget served the following purposes: 1) Financial plan for the upcoming fiscal year; 2) A "blueprint" for providing municipal services for the upcoming fiscal year; 3) Matched available resources with community needs; and 4) Outlined the work plan and priorities for the organization. He stated the City of Broken Arrow had the following priorities: 1) Maintaining fiscal soundness; 2) Implementation of a comprehensive economic development administration; 3) Public safety and emergency preparedness; 4) Affordable public utilities; 5) Ongoing investments in public infrastructure; 6) Pursuing a high degree of civic engagement; and 7) Maintaining great quality of life in the Community.

City Manager Spurgeon explained key budgeting practices included estimating revenues and expenditures conservatively, ensuring all funds balanced, including built-in contingencies for the unexpected (build up reserves), and focusing on long-term financial sustainability. He reported the basis for Budget recommendations included implementation of City Council's highest priority which was great services to the community, addressing our increasing demands for public infrastructure and public services as a part of a growing community, and maintaining City of Broken Arrow's quality of life and quality of place.

He explained page 2 through page 4 of the Budget reviewed three Budget Challenges which included: 1) Consideration of over dependency on sales tax and lack of another sustainable revenue source for General Fund operations. 2) The need for a sustainable revenue source for public safety. He noted right now Public Safety Departments used 118% of all applicable sales tax and Broken Arrow needed another 18% of other available revenues to fund Public Safety. 3) The Utility Department implementation of new rate model and completion of CIP. He reviewed a chart which illustrated the sales tax breakdown for Tulsa County (8.4%) and Wagoner County (8.8%). He noted the City only received a small percentage (approximately 3.5%) of the sales tax collected by the Counties.

City Manager Spurgeon stated FY-2020 Proposed Municipal Budget totaled \$307,646,172 dollars which was a 21% increase over the FY-2019 Municipal Budget of \$254,116,194 dollars. He stated there were three reasons for this increase: 1) \$50 million dollars in Oklahoma Water Resource Board loans for Utility Projects; 2) \$22 million dollars in General Obligation Bond from the 2018 General Obligation Bond Package (year 2); and 3) an increase in the proposal for adjustments in pay. He reviewed the breakdown of FY-2020 Expenses: Operational Expenses were \$119,779,255 dollars, Capital Outlay was \$156,593,904 dollars, and the Debt Service was \$31,273,013 dollars which totaled \$307,646,172 dollars. He reported the FY-2020 General Fund was \$95,043,520 and included expenditures, transfers out, and ending fund balance. He explained this was increased by 9.8% due to new operating costs, transfers out (public safety sales tax funds), and reserved fund balances. He noted FY-2020 General Fund Revenue Projections included a slight increase as compared with the FY-2019 revenues. He stated sales tax was projected at a 2% increase and all other revenues were projected at a 3.73% increase with combined revenues projected at a 2.7% increase. He reviewed pie charts (available online for review) which illustrated General Fund Budget Resources and General Fund Expense by Department. He stated the General Fund Ending Fund Balance Total Fund Balance was \$16,014,796 dollars which included an Emergency Fund Balance of just over \$9 million dollars, Compensated Absences of \$3,000,000 dollars, and Reserve for Capital Project of \$3,882,931 dollars. He explained all of the Fund Balance was committed and any use of the funds required City Council approval.

City Manager Spurgeon reported BAMA consisted of Utilities (Water, Sewer, Sanitary Sewer and Stormwater), Solid Waste, Engineering Construction, Building and Fleet Maintenance, Street and Stormwater Department. He stated the FY-2020 BAMA Budget totaled \$139,437,975 dollars which included expenditures, transfers out, ending fund balance, capital outlay, and debt service. He noted this was an increase of 24.2% over last year's budget as a result of operating costs, capital outlay (5 year CIP implementation), reserved fund balances, and debt service (OWRB loans). He stated BAMA's Total Current Revenues were \$49,672,300 dollars which included Charges for Services of \$48,558,300 dollars, Fines & Forfeitures of \$976,000 dollars, Interest of \$13,000 dollars, Miscellaneous of \$125,000 dollars, as well as Other Financing Sources of \$78,634,900 which included OWRB Proceeds from Prior Years of \$6,000,000 dollars, Rollovers of \$361,000 dollars, Transfers In (sales tax) of \$15,136,900 dollars and Note Proceeds of \$57,136,900 dollars.

He reviewed two pie charts (available for review online) which illustrated Broken Arrow Municipal Authority Revenue Resources and Broken Arrow Municipal Authority Expenses by Classification.

He reported BAMA's Beginning Fund Balance was \$11,131,275 dollars, Revenue was \$128,306,700 dollars, Expenditures \$129,847,800 dollars, with an Ending Fund Balance of \$9,590,175 dollars. He reported BAMA was in year 4 of the 5-year rate model. He noted \$6.63 million dollars in "pay as you go" capital improvements for small department projects and maintenance was proposed. He stated the proposed OWRB Projects equaled \$57.1 million dollars.

City Manager Spurgeon reported the Sales Tax Capital Improvement Fund FY-2020 included 0.5% of 3.55% of City's sales tax for Sales Tax Capital Improvement (STCI), Revenues were estimated at \$7,575,600 dollars and the Fund was used primarily for "pay as you go" projects. He reported Sales Tax Capital Improvement (STCI) highlights included Police Vehicles proposed at \$470,000 dollars (also five new vehicles from the Police Fund), three new Ambulances (via Lease Purchase) at \$250,000 dollars, Street and Stormwater new and replacement vehicles at \$991,500 dollars, Fire Station 2 Foundation Repair at \$400,000 dollars, and the Annual Bass Pro Debt Service Payment of \$1.9 million dollars.

He stated General Obligation Bonds Projects included \$74.1 million dollars in current 2011, 2014, and 2018 GOB (General Obligation Bond) Projects. He stated the Proposed GO Bond (General Obligation Bond) Sale in FY 2020 was \$22.5 million dollars. He reported BAMA(Broken Arrow Municipal Authority) CIP (Capital Improvement Project) included \$57.1 million dollars in OWRB (Oklahoma Water Resources Board) projects which were underway, \$1,258,600 dollars for new utility vehicles and equipment, various water lines at \$455,000 dollars, and three Refuse Trucks at \$547,000 dollars, as well as Stormwater Vehicles and Equipment at \$827,500 dollars. He noted the Recycling Program was not included in the FY-2020 Budget.

He stated the FY-2020 Work Plan (City Manager Budget Message on pages 8-16) reviewed: 1) Communications and transparency; 2) Economic development administration and initiatives; 3) New street maintenance program (Vision 2025 funds); 4) Approved and proposed GOB (General Obligation Bond) projects; and 5) Various programs and initiatives, new and ongoing (pages 16-18).

City Manager Spurgeon reported City Council agreed to increase the current Emergency Reserve Fund Balance Policy for the General Fund from the current 10% to 15%. He noted he recommended creation of an Advisory/Citizens task force for the following: 1) A new park in southwest Broken Arrow; 2) Stormwater projects throughout the City; and 3) The Small Area Plan for Elm Place and New Orleans. He recommended consideration of creating a Council subcommittee for finance and audit. City Manager Spurgeon noted the Public Meeting for the Small Area Plan for Elm Place and New Orleans would be held on June 18, 2019.

He commended and thanked Cindy Arnold and the Financial Team, Department Directors and Senior Staff, Jennifer Sewzey and Cricket Moore, as well as City Council.

Vice Mayor Scott Eudey commented every department built a budget afresh annually according to its needs.

Mayor Thurmond opened the Public Hearing and asked three times if any present wished to speak regarding the Proposed Budget for Fiscal Year 2019-2020. Hearing none; he closed the Public Hearing.

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)

There were no Citizens who wished to address City Council on general topics related to City Business or Services.

9. General Council Business

A. 19-634 Consideration, discussion, and possible approval of PUD-290 (Planned Unit Development), Riverbrook Apartments, 14.56 acres, RM (Residential Multifamily) to PUD-290/RM, one-half mile south of Jasper Street (131st Street), east of Aspen Avenue (145th East Avenue)

Acting Director of Development Services Larry Curtis reported Planned Unit Development 290 (PUD-290) involved property presently zoned RM (Residential Multifamily). He noted the RM (Residential Multifamily) zoning was approved by City Council on January 17, 1972. He stated the applicant was interested in developing an apartment project and development was proposed to occur in two phases. He explained the first phase (6.70 acres) would contain 72 units (28 one bedroom units, 22 two bedroom units and 23 three bedroom units. He explained the property was designated as Greenway Flood Plain in the Comprehensive Plan and in 1997 when the Comprehensive Plan was adopted the property was shown on the 1984 FEMA (Federal Emergency Management Agency) maps as located within the 100 year flood plan; however, the 2009 FEMA maps now showed most of the property was located on the 500 year flood plain. He stated development was permitted in the 500 year flood plain area. He reported the applicant proposed to develop the property in accordance with the RM zoning district except for the following changes: to restrict the number of units allowed in phase 1 to 72 units (instead of 133 units), to limit building height to 45 feet for three story units and 25 feet for two story units, to reduce the parking requirement for one bedroom units from two parking spaces per unit to 1.5 parking spaces per unit, to install a security fence along the northeast boundary along the tree lined creek.

Mr. Curtis reported according to the conceptual site plan the closest multifamily structure was located approximately 100 feet from the north and east property line adjacent to the existing single family residential neighborhood. He noted in phase 2 there would be four units located on the same building line along the southern property instead of three. He stated this boundary abutted an AEP PSO (Public Service Company of Oklahoma) power line. He stated as part of the 2018 General Obligation Bond, Aspen Avenue was to be widened from Indian Springs Sports Complex to Tucson Street. He stated the design of the Street Improvement would begin in approximately 2020; however, a project start date was not set.

He stated PUD-290 was reviewed by the Planning Commission on May 9, 2019 and at the meeting three individuals spoke in opposition to the proposed PUD; concerns included opposition to apartments, children playing in the creek (since the original PUD design statement did not have a fence along the north and the east boundary line), decrease in the number of parking spaces would cause parking problems in the sports complex, preference for the property to be used for the adjoining sports complex or used for single family residential development, and the potential increase of traffic problems along Aspen Avenue. He stated there were also concerns regarding increase in stormwater runoff impacting the banks of the creek and the potential impact of additional apartments in the area.

He stated after reviewing the information in the Staff Report and hearing the comments expressed during the Public Hearing the Planning Commission made a recommendation by a vote of 5 to 0 for PUD-290, per Staff Recommendations, and subject to the property being platted. He stated Staff recommended installation of a security fence, at least 6 feet in height, outside the 100 year flood plain along the north and east boundary line; it was further noted that the property owner would remain responsible for the maintenance of the area between the fence and the northeast property line. He indicated the applicant made the proposed changes. He stated a protest petition was submitted for the Planning Commission Meeting and INCOG (Indian Nations Council of Governments) identified the property owners who owned property within the 300 foot radius who signed the petition. He explained it was determined said property owners represented 15% of the land area within 300 feet of the property and therefore, according to Title 11, section 43-105, of the Oklahoma State Statutes, only a simple majority vote was required to approve PUD-290. He stated Staff recommended approval of PUD-290 per Staff recommendations.

Mayor Thurmond noted this area was zoned for multifamily development in 1972 without any PUD. Mr. Curtis concurred. Council Member Parks commented the developer did not need the PUD to develop this property for multifamily purposes. Mr. Curtis explained the primary reason for the PUD request was the need to split the project in half for financing purposes. Vice Mayor Eudey asked how many units could be developed without a PUD. Mr. Curtis responded without a PUD up to 135 units could be developed in the first phase with additional units in the second phase. Vice Mayor Eudey asked how many units would be built in the second phase. Mr. Curtis responded he was unsure.

Council Member Parks noted City Council could not vote no to development of apartments in this location as RM zoning had been in place since 1972; however, he was concerned about this property being located within the 500 year flood plain. Mr. Curtis stated the Police Department flew a drone over the area at the height of the recent major water event (measured at 275,000 cubic feet per second flowing within the Arkansas River). He displayed photos of the area which illustrated where water flooding was located and reviewed the estimated elevation levels. He explained Broken Arrow Code required any property located within the flood plain be elevated to 28 inches above the flood plain and the developer was aware of this requirement. Council Member Parks stated it was important for Citizens to understand this area was not located within the 100 year flood plain. Mr. Curtis displayed maps which illustrated flood plain locations. He noted the developer intended to construct onsite water detention to alleviate flood issues.

Council Member Gillespie asked once the apartments were constructed where water would flow as it would no longer be able to sink into the ground. Mr. Curtis explained if the PUD was approved, and the developer moved forward with the platting process, an engineer would perform a hydraulic and hydrostatic analysis associated with water flow and flooding and the water runoff would be directed to flow into the on-site detention facility. He explained the platting process and noted the engineering plans would meet all Broken Arrow's engineering standards and requirements prior to being presented to City Council. Council Member Gillespie asked if flood insurance would be available to renters in this area. Mr. Curtis responded in the affirmative.

Vice Mayor Eudey asked about the impact on local schools with potential new students. Mr. Curtis responded the information regarding this project was provided to the Broken Arrow Public School System who had not provided any feedback with regard to the project.

Council Member Gillespie asked about the fencing. Mr. Curtis stated Staff requested fencing be installed and the applicant complied.

Council Member Parks asked if Mr. Curtis felt the PUD project was a better project than what potentially could be developed in this area. Mr. Curtis responded in the affirmative; he believed ultimately this project would develop a better product than what could be done with straight zoning. Council Member Parks stated he was pleased with the reduction in number of units in phase 1, but worried extra units would be constructed in phase 2.

Council Member Wimpee asked if the developer would be required to return to City Council

with the plans for phase 2 regarding number of units. Mr. Curtis responded in the negative; the developer could develop the max number of units permitted by straight zoning in phase 2 (142 units). Council Member Wimpee stated she wished the apartments to be of higher standard and quality of aesthetics due to its proximity to other housing in the area, as well as the Indian Springs Sports Complex. Mr. Curtis responded this could be discussed.

Council Member Gillespie asked if the fencing could be chain link. Mr. Curtis responded in the affirmative. Council Member Gillespie stated Indian Springs Sports Complex was the largest sports complex in Broken Arrow and attracted many tourists. She stated it was important that the area remain attractive to tourists and asked if it was possible to require a more attractive entrance to the apartment complex. Mr. Curtis responded in the affirmative. He stated current design criteria standards for brick and masonry were high (65% of the exterior of the building). He noted a more attractive fence than chain link could be required.

Council Member Wimpee asked to see the map of phase 1 and 2. Mr. Curtis complied. Council Member Parks asked if a hearing regarding phase 2 could be required. Mr. Curtis responded in the affirmative; or the number of units could be limited as a part of the current PUD. Vice Mayor Eudey asked to hear from the developer.

Mr. Cory Farmer, on behalf of Belmont Development, stated a conceptual design for phase 2 was submitted with the PUD. He noted once phase 1 was complete there was not much land left for development. He explained the developer did not intend to meet maximum density. He stated currently the conceptual design for phase 2 contained 60 units; however, this number might be reduced. He explained the developer intended to review market demographics prior to development and was considering designing phase 2 for seniors. He stated he was raised in Broken Arrow in the Indian Springs area and Belmont was not attempting to "back door" a monstrosity development in phase 2. He explained the owner/applicant intended to be the long term owner of this property. He stated Belmont wished to develop a product which would be aesthetically pleasing and highly marketable with the goal of 100% occupancy. He stated this development would include a recreational meeting area, as well as an above ground FEMA (Federal Emergency Management Agency) rated storm shelter which would be large enough to house all residents.

Vice Mayor Eudey asked if Belmont would be opposed to adding in a hearing requirement for phase 2 or a cap on the number of units in phase 2. Mr. Farmer responded he would be comfortable with a cap of 95 units (total allowed was 142 units). He noted the owner did not envision building 95 units, but he did not wish to severely limit the owner's possibilities. Council Member Parks stated City Council wished to protect the area from potential problems (traffic, aesthetics, etc.) and he was uncomfortable leaving phase 2 open ended. He noted he would be pleased with the unit number being capped at 95. Mr. Farmer noted the height restrictions and aesthetic restrictions for phase 1 applied also to phase 2.

Vice Mayor Eudey asked why the developer wished the fence along the back end of the property to not be opaque. Mr. Farmer noted initially the developer wished to leave this area as a natural barrier; however, there were safety concerns which could be addressed with security fencing. He explained the fence would not be seen as it was behind the building footprint and there would again be the natural barrier area. Vice Mayor Eudey noted there potentially could be problems with water flow with an opaque fence. Mr. Farmer concurred.

Council Member Wimpee asked about the rental rates. Mr. Farmer responded the property was being designed as affordable housing and rental rates would be set at 60% of the area's allowable rental rate.

Council Member Gillespie stated she was concerned about the chain link fencing and the streetscape along Aspen. Mr. Farmer stated the streetscape would meet the requirements in place, but he was unsure what exactly was intended. Council Member Gillespie asked if trees would be removed. Mr. Farmer responded in the affirmative. Mr. Larry Blackledge, the Belmont Architect, stated Belmont hired a landscape architect and would abide by the Broken Arrow landscape ordinance. He reported the trees would be the required 3 inch (trunk width) trees, would be developed with low and high trees, and would be approved by the City. He noted the entrances would be identified with low shrubbery and perennials; no entryway fencing was intended. Mr. Farmer stated the development did not wish to appear to be a closed off development, but wished to have an open flow feel with attractive landscaping, which allowed drivers to see the attractive façade of the development.

Vice Mayor Eudey stated upon further consideration, all of Indian Springs had chain link fence; therefore, he felt it was unreasonable to demand an opaque fence along the back of the property. He asked if the development would have groundskeepers for landscape maintenance and to ensure the fence line was kept clean. Mr. Farmer responded in the affirmative.

Council Member Parks stated he appreciated Mr. Farmer's and Mr. Blackledge's efforts. He

stated he wished the unit number cap to be included in the PUD for phase 2. Mr. Blackledge noted 95 units was a reasonable number.

Citizen William Kok stated his address was 1008 West Pensacola Court, Broken Arrow, OK 74011. He stated his main opposition was the north side fence and he was happy to hear a security fence would be installed. He noted most of the 300 foot radius was considered City property and he asked why the City owned property was not excluded from the 50% approval/disapproval rule. He stated he worried about the reduction in number of parking spots required. He asked if there would be a fence installed on the east and south side of the property. He noted chain link fence could be aesthetically pleasing, such as utilization of black chain link fencing or chain link with slats, etc.

Mr. Curtis explained Mr. Kok's question about the 300 foot radius was statutory law. City Attorney Dennis explained the Statute indicated the owners of 50% or more of the area of the lots within a 300 foot radius of the exterior boundary of the territory was indicated, but the Statute did not make a provision for who the owner was. Mr. Kok stated he felt this represented a conflict of interest as there was no way to obtain a petition signature from the government regarding these lands.

Mr. Curtis stated, in regards to parking, Broken Arrow parking requirements have not been updated in 30 years (but would be updated shortly) and were felt to be outdated. He gave examples of developments for which there was too much parking. He noted there was a benefit to less parking, as less parking equaled less impervious ground, which equaled less water runoff. He noted the reduction was only made to 1.5 parking spots per one bedroom unit as opposed to 2 parking spots. He explained this had been allowed for other developments and was not found to be problematic.

Discussion ensued regarding the Statute requiring signatures of 50% or more of the surrounding area. City Attorney Dennis noted even if 50% of the area had been able to sign the petition, the PUD would still be able to pass with a 3 out of 5 vote.

Discussion ensued regarding the fencing, where it would be located, and a 100 foot wide easement designated to the City of Broken Arrow.

Vice Mayor Eudey noted he visited this property when it was flooded and he believed based on the design there would be no problems with flooding and the development. Mr. Curtis concurred as much of this land was highly elevated. Council Member Parks concurred. Discussion ensued regarding the recent flood event, the damage it caused, and the Verdigris River involvement.

Vice Mayor Eudey stated he agreed with Council Member Parks, he would approve the PUD with inclusion of a cap on the number of units for phase 2. He stated he did not feel the development needed to be completely surrounded by a fence line; however, he wished the chain link to possibly match the type of fencing seen throughout Indian Springs. He stated he appreciated the developer's willingness to address the City's and the surrounding resident's various concerns and to reduce the number of units, especially understanding the developer was not required to work with the City or surrounding residents, but had the right to develop an apartment complex on the property to less stringent zoning standards.

Council Member Gillespie stated she wished the complex to be representative of Indian Springs and aesthetically a development the City of Broken Arrow and Indian Springs would be proud of.

Council Member Parks asked if the site plan would come before City Council prior to approval. Mr. Curtis responded in the negative. Council Member Parks asked if the site plan could be presented to City Council, not for approval, but for informational purposes. City Attorney Dennis responded in the affirmative; the Council had the right to add this as a requirement in the PUD.

Council Member Wimpee noted the possibility of increased traffic as a result of the development had not yet been discussed. Mr. Curtis indicated while there would initially be an increase in traffic, widening of Aspen in this location would alleviate the traffic increase.

Vice Mayor Eudey stated he was pleased the Schools were unconcerned. City Manager Spurgeon stated he spoke with the Superintendent; the Superintendent's position was the Board would not comment on potential development prior to approval by City Council. He explained once the development was approved the School System would review the impact said development would have on the Schools. Council Member Parks stated he approved. Council Member Wimpee mentioned Assistant City Manager Kenny Schwab's presentation which illustrated not as many children of school age lived in apartment complexes as previously believed; single family residential areas generated almost three times as many school age children as apartment complexes.

Council Member Gillespie noted she was opposed as most of her constituents were opposed to this development. Council Member Wimpee noted she approved as the developer had made changes for the sake of the City while it could have developed many more units in the complex.

MOTION: A motion was made by Johnnie Parks, seconded by Scott Eudey.

Move to approve PUD-290 with a cap of 95 units in phase 2, as well as presentation of the site plan, once completed, before City Council for informational purposes

The motion carried by the following vote:

Aye: 4 - Debra Wimpee, Johnnie Parks, Scott Eudey, Craig Thurmond
Nay: 1 - Christi Gillespie

- B. 19-688 Consideration, discussion, and possible approval of and authorization to execute the Fiscal Year 2019-2020 Single Audit Engagement Letter with Arledge & Associates, PC**
Director of Finance Cindy Arnold reported the GFOA (Government Finance Officers Association) recommended bidding out auditing services once every five years. She stated in early April Staff drafted a request for proposal and sent this request to Crawford and Associates for review. She indicated Crawford and Associates provided Staff with a list of fifteen potential auditing firms to which she sent proposals. She noted she received four responses and listed the companies who responded; one did not follow RFP and one did not have current government experience (lowest bid). She noted Staff recommended Arledge & Associates, PC.

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

Move to approve and authorize execution of the Fiscal Year 2019-2020 Single Audit Engagement Letter with Arledge & Associates, PC

The motion carried by the following vote:

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

- C. 19-686 Consideration, discussion, and possible approval of Resolution No. 1238, a Resolution approving action taken by the Broken Arrow Municipal Authority authorizing the issuance of its promissory note in principal amount not in excess of \$11,415,000 to the Oklahoma Water Resources Board; ratifying and confirming a lease agreement and operation and maintenance contract and a security agreement between the city and the authority and containing other provisions relating thereto**
Ms. Cindy Arnold requested this Item be tabled until after the BAMA Meeting.

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

Move to table this Item until conclusion of the BAMA Meeting

The motion carried by the following vote:

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

Following the conclusion of the BAMA (Broken Arrow Municipal Authority) Meeting Director of Finance Cindy Arnold explained the City must approve any debt incurred by the Broken Arrow Municipal Authority. She reported Resolution No. 1238 approved the action taken by BAMA under Resolution No. 1237 authorizing the issuance of the Clean Water SRF Series 2019B in an amount not to exceed \$11,415,000 dollars. She stated Staff recommended approval of Resolution No. 1238 and authorization of its execution.

MOTION: A motion was made by Christi Gillespie, seconded by Scott Eudey.

Move to approve Resolution No. 1238 and authorize its execution

The motion carried by the following vote:

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

- D. 19-700 Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1235, a Resolution of Necessity to Condemn Property generally located at 11100 S 193rd East Avenue, Broken Arrow, in the Northeast Quarter of Section 36, T-18-N, R-14-E of the Indian Meridian, Tulsa County, Oklahoma, for the County Line Trunk Sewer Replacement, (Project No. S.1609)**
Director of Engineering and Construction Alex Mills reported in July 2018 an informational letter was sent to the property owner requesting the donation of this property. He explained from August of 2018 through November of 2018 the City attempted multiple times to contact the property owner, made the owner an offer on October 26, 2018 for the utility easement and temporary construction easement in the amount of \$7,660 dollars based on the market analysis. He stated an appraisal was received on February 12, 2019 in the amount of \$5,361 dollars, the City upheld its original offer of \$7,660, but ultimately was unable to come to an agreement with the property owner. He requested City Council approve Resolution No. 1235, a Resolution of Necessity to Condemn Property.

Vice Mayor Eudey asked if there was a counter offer made to the \$7,660 dollars, or if there was a time limit in which no acceptance was made. Director of Engineering and

Construction Alex Mills responded no counter offer was received, contact was made with the property owner's attorney; however, no resolution was reached. Vice Mayor Eudey asked if there was a time limit or if the offer was rejected. City Attorney Trevor Dennis stated he did not recall if a time limit was set, but believed there had been a reasonable amount of time allotted for response, and having received no response could take such as a rejection. Director of Engineering and Construction Mr. Mills explained the initial offer was made, negotiations continued with attempts to receive feedback, and eventually a letter was sent which noted if no response was received within "X" amount of weeks, the City would be forced to utilize condemnation. Vice Mayor Eudey stated this answered his question: there had been a time limit set.

MOTION: A motion was made by Christi Gillespie, seconded by Debra Wimpee.

Move to approve Resolution No. 1235 and authorize its execution

The motion carried by the following vote:

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

- E. 19-699 **Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1236, a Resolution of Necessity to Condemn Property generally located at 11000 S 193rd East Avenue, Broken Arrow, in the Southeast Quarter of Section 25, T-18-N, R-14-E of the Indian Meridian, Tulsa County, Oklahoma, for the County Line Trunk Sewer Replacement, (Project No. S.1609)**

Director of Engineering and Construction Alex Mills reported Resolution No. 1236 was similar to Resolution No. 1235 and was even the same family, but under a different legal entity. He reported the City requested donation, made an offer based on market analysis, had an appraisal done, issued a time limit for response, and made no progress towards resolution. He asked City Council to approve Resolution No. 1236.

MOTION: A motion was made by Scott Eudey, seconded by Johnnie Parks.

Move to approve Resolution No. 1236 and authorize its execution

The motion carried by the following vote:

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

- F. 19-711 **Consideration, discussion, and possible approval of and authorization to execute a Professional Consultant Services Agreement with Benham Design, LLC for providing design services for 23rd Street widening from Albany Street to Omaha Street and Bridge Replacement (Project No. ST1931 and ST1932)**

Director of Engineering and Construction Alex Mills reported Staff went through a vigorous selection and interview process for design firms based on the 2018 GO Bond (General Obligation Bond) project propositions and selected Benham Design, LLC as the top consultant for this important project. He noted the project would expand the road from two lanes to five lanes, included curb and gutter, sidewalks, underground storm sewer where possible, water sewer relocations and upgrades as necessary, identification of right of way needs and assistance during acquisition, utility relocations plans and coordination with the utility companies. He noted there would be coordination with the City's plan as there was an intersection improvement project on Albany which would tie into this project's plans, as well as coordination with Tulsa County regarding the improvement of the intersection at Omaha. He stated he was pleased with the fee negotiation; however, it did not include retention wall design fees as the number of needed retention walls was not yet know. He explained once right of way needs were determined retention wall design fees would be considered.

Council Member Wimpee noted once construction began congestion in this location would increase. Director of Engineering and Construction Alex Mills stated he believed the City and congestion in this area would fare well during the project. He believed the bridge would remain open throughout construction. Director of Engineering and Construction Mr. Mills reported a meeting with Tulsa County to coordinate the work would be held soon and he would return to Counsel with exact dates regarding Tulsa County work. City Manager Spurgeon stated he did not believe the County would begin construction in this area for at least 18 months and explained this was due to financing, right of way, other projects and stormwater issues. Director of Engineering and Construction Mr. Mills concurred.

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

Move to approve and authorize execution of a Professional Consultant Services Agreement with Benham Design, LLC for providing design services for 23rd Street widening from Albany Street to Omaha Street and Bridge Replacement (Project No. ST1931 and ST1932)

The motion carried by the following vote:

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

- G. 19-584 **Consideration, discussion, and possible award of the lowest responsible bid to Builders Unlimited, Inc. and approve and authorize execution of a construction contract for the Events Park Adult Softball Complex (Project No. 176037)**

Director of Engineering and Construction Alex Mills reported the Events Softball Complex

would be located in the northeast corner of the Events Park. He noted the project included a base bid for the four adult softball fields, an adaptive field (“miracle field”) which was a field for those with disabilities, concessions, restrooms, and parking. He noted the project was advertised on April 8, 2019 and April 15, 2019, and received five bids on May 14, 2019. He reported the lowest bid was Builders Unlimited with a base bid of \$6,721,383 dollars. He stated Staff requested award of the base bid and add alternate 1, which was the LED lighting of the fields for \$182,277 dollars, for a total project cost of \$6,903,660 dollars which was less than the engineer’s estimate of \$7,620,000 dollars.

The President of the Broken Arrow Softball Club Brad Gordon indicated he and the Softball Club were excited about this project. He introduced the Board of the Broken Arrow Softball Club. He noted he believed this Softball Complex would draw tourism as the fields would be used for competitive softball. He stated he believed the adaptive field would provide many opportunities for the autism groups and disability youth; he reported he had been in contract with a National Wheelchair Softball Association which was interested in the adaptive field as well. He noted this Softball Complex differed from other fields: the infields were synthetic turf which allowed play in the rain, the dugouts were designed in a major league style with porches, and the concession area would have indoor climate-controlled seating with roll-up doors for use during fair weather. He noted there would be an artificial turf courtyard area to be used for corn-hole tournaments, Frisbee throwing, etc., a pond with possibly a fountain, and the LED lighting was cutting edge. He noted even the layout of the Softball Complex was designed to be attractive and to draw families out to the area. Council Member Wimpee asked about a grey area on the map. Mr. Gordon responded this was a proposed playground which would be constructed in phase 2. Director of Engineering and Construction Mr. Mills agreed this was a unique venue which would be a highly enjoyable and beautiful amenity for the City of Broken Arrow.

Council Member Parks asked where the parking was located. Director of Engineering and Construction Mr. Mills responded there was the indicated parking on the map (south), phase 2 would contain additional parking to the west, and to the north the elementary school was willing to accommodate extra parking needs during games. He stated he believed there was adequate parking for the needs of the Complex. City Manager Spurgeon agreed. He noted once all six softball fields were developed (totaling eight softball fields including the two located in the Indian Springs Sports Complex) Regional Competitions and larger type competitions could be held at the Complex. Mr. Gordon concurred.

Citizen William Kok asked where the Softball Complex would be located. Director of Engineering and Construction Mr. Mills responded in the Events Park.

MOTION: A motion was made by Debra Wimpee, seconded by Christi Gillespie.

Move to approve the award of the lowest responsible bid to Builders Unlimited, Inc. and approve and authorize execution of a construction contract for the Events Park Adult Softball Complex (Project No. 176037)

The motion carried by the following vote:

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

10. Preview Ordinances

- A. 19-648 **Consideration, discussion, and possible preview of an Ordinance closing a portion of Right-of-Way on property located one-eighth mile south of New Orleans Street (101st Street), one-third mile east of 9th Street (Lynn Lane Road), Tulsa County, State of Oklahoma, (Section 25, T18N, R14E)(Seven Oaks South)**

City Attorney Dennis reported this was a request to close approximately 0.03 acres of right of way. He explained this property was originally intended to be a stub out street for the neighborhood, but was no longer necessary. He stated none of the utilities objected. He recommended City Council preview the ordinance and set it for adoption. Mr. Curtis explained this property was located in Seven Oaks South which was a gated community and as such a stub out street was no longer needed in this location. He explained a stub out street would face to the west and a connection would be to the south on an existing street.

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

Move to preview the ordinance and set it for adoption

The motion carried by the following vote:

Aye: 4 - Christi Gillespie, Debra Wimpee, Johnnie Parks, Scott Eudey
Abstain: 1 - Craig Thurmond

11. Ordinances

- A. 19-691 **Consideration, discussion, and possible adoption of Ordinance No. 3583, an Ordinance amending the Broken Arrow Code of Ordinances, Chapter 26, Emergency Medical Services; adding section 26-11, Establishment of an outside of the city fire subscription program, Section 26-12, Out of the city fire subscription program and fees, Section 26-13, Nonparticipation Election, Section 26-14, Collection of fire subscription program fees, Section 26-15, Persons not covered by the fire subscription program, Section 26-16,**

insurance provision, subrogation, and assignment, Section 26-17, limitation of obligation of city, repealing all ordinances to the contrary; and declaring an emergency City Attorney Dennis requested Item 11A be tabled until following discussion of Items 11B through 11N.

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

Move to table 11A

The motion carried by the following vote:

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

Following discussion of Items 11B through 11N City Attorney Dennis discussed Item 11A. He explained Ordinance No. 3583 would create a Fire Subscription Program which Fire Chief Moore discussed at a previous Meeting. He noted the Fire Subscription Program was similar to the current Life Ride Program and would provide an opportunity for residents outside the Fire Service Area to have service without being charged the hourly rate. He noted the Life Ride Subscription Program was \$90 dollars annually and the Fire Subscription Program would also cost \$90 dollars annually; however, those who participated in both programs would receive a discounted rate of \$150 dollar per year. He stated Staff recommended City Council adopt Ordinance No. 3583 and approve an emergency clause.

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

Move to adopt Ordinance No. 3583

The motion carried by the following vote:

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

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

Move for the emergency clause

The motion carried by the following vote:

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

- B. 19-657 Consideration, discussion, and possible adoption of Ordinance No. 3571, amending the Broken Arrow Code of Ordinances Chapter 2, Administration, Article IX, Employee Rules and Regulations, Section 2-165, Department Director Evaluation, Article XII, Development Services Department, Section 2-200, Established; Appointment Duties; specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary**
- City Attorney Dennis reported Items 11B through 11N were related to Items previewed at the previous meeting. He reported the Development Services Department fulfilled several purposes in the Community including City planning, long range planning, engineering, review of private developments, trade licensing, building inspections, code enforcements, etc. He stated the City Manager's Office discovered many communities with a Development Services Department had renamed this department to more accurately reflect what was done for the community. He noted the Ordinances changed the name of the Development Services Department to the Department of Community Development while the Special Projects Division would be renamed Place Making Division, the Planned Development Division renamed to Planning and Development Division, Inspection Services renamed Neighborhood Engagement Division, and One Stop Division renamed to Community Permitting Division. He explained the Items 11B through 11N adopted these changes to rename the departments within the ordinances to accurately reflect the changes. He stated in order to more efficiently work through these Items he recommended making one motion to adopt the Ordinances contained in Items 11B through 11N without an emergency clause. He explained this would provide Development Services time to change business cards, letterhead, etc.

MOTION: A motion was made by Scott Eudey, seconded by Johnnie Parks.

Move to approve Items 11B through 11N

The motion carried by the following vote:

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

- C. 19-663 Consideration, discussion, and possible adoption of Ordinance No. 3572, amending the Broken Arrow Code of Ordinances, Appendix A - Zoning Ordinance, Chapter 5, Development Standards, Section 5.9, Telecommunication Facilities; specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary**
- D. 19-659 Consideration, discussion, and possible adoption of Ordinance No. 3573, amending the Broken Arrow Code of Ordinances, Chapter 5, Animals, Article 1, In General, Section 5-6, Dog/Cat License Fee, Registration And Tag Generally, specifically changing the name of One Stop Center to Community Permitting Division and repealing all ordinances to the contrary**
- E. 19-667 Consideration, discussion, and possible adoption of Ordinance No. 3574, amending the Broken Arrow Code of Ordinances, Chapter 6, Buildings and Building Regulations,**

Article I, General, Section 6-2, Building Inspection Division of Department Services Department and Building Inspector Generally, Section 6-6, Street Addresses of Buildings, Section 6-8, Toilet facilities, Article II, Building code, Section 6-22, Local Registration of General Contractors, Article III., International residential code (IRC), 6-36, Adopted, Article IV, Electrical Code, 6-46, Local registration of electrical contractors, journeyman electricians, and electrical apprentices, Section 6-52, Current not to be connected prior to final approval of installation, Article V, Plumbing, 6-96, Registration of plumbers, Section 6-101, Backflow prevention, Article VII, Mechanical Code, 6-130, Registration of mechanical contractors, journeymen, apprentices, and fee revocation, Article VIII, Moving of Building, Section 6-161- Required, Section 6-162, Application, 6-166, Designation of route Article X, Mobile Homes, Mobile Home Parks and Manufactured Housing used as Dwellings, 6-261, Annual permits for mobile homes within areas requiring security but not zones for mobile home use; application standards and fee, Section 6-270, Application for permit 6-271, Permits issuance, Article XI, Building Permit Fees and Charges Section 6-273, Mobile Homes, Mobile Home Parks and Manufactured Housing used as Dwellings Section 6-303, Force and effect of permit, specifically changing the name of Development Services Department to the Department of Community Development and Inspection Division to Neighborhood Engagement, repealing all ordinances to the contrary (Trevor Dennis)

- F. 19-672 Consideration, discussion, and possible adoption of Ordinance No. 3575, amending the Broken Arrow Code of Ordinances, Appendix A - Zoning Ordinance, Chapter 6, Review and Approval Procedures, Section 6.3, Amendments, Section 6.4, Planned Units Development, Section 6.6, Site Plan Review, Section 6.11, Building Permits, specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary (Trevor Dennis)

- G. 19-675 Consideration, discussion, and possible adoption of Ordinance No. 3576, amending the Broken Arrow Code of Ordinances Chapter 7, Business Regulations and Licenses, Article I, In General, Section 7-12, Mobile Food Vendors, Section 7-120, Applications; Article VI- Massage Establishments, Section 7-126, Revocation and Suspension, Article XIII- Moving of Buildings or Oversized Loads, Section 7-301, Oversized load mover's license, Section 7-320, Oversized load authorization to move, specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary (Trevor Dennis)

- H. 19-679 Consideration, discussion, and possible adoption of Ordinance No. 3577, amending the Broken Arrow Code of Ordinances Chapter 8, Cemeteries, Article II, Park Grove Cemetery, Section 8-22, Charges for Sale of Lots and Spaces and For Services; specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary (Trevor Dennis)

- I. 19-681 Consideration, discussion, and possible adoption of Ordinance No. 3578, amending the Broken Arrow Code of Ordinances Chapter 10, Fire Prevention And Protection, Article Iv, Explosives, Section 10-76, Discharge Of Class 2 Explosives; Blasting Operations, Section 10-78.1, Definitions, Section 10-78.3, Blasting Permits; specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary (Trevor Dennis)

- J. 19-680 Consideration, discussion, and possible adoption of Ordinance No. 3579, amending the Broken Arrow Code of Ordinances Chapter 12, Garbage and other Refuse, Article I, In General, Section 12-3, Right to Engage in Business of Collecting, Hauling, Etc.; specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary

- K. 19-682 Consideration, discussion, and possible adoption of Ordinance No. 3580, amending the Broken Arrow Code of Ordinances Chapter 15, Nuisances, Article I, In General, Section 15-1, Nuisance Code, Section 15-7, Emergency Abatement, Section 15-45, Amendments, specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary

- L. 19-683 Consideration, discussion, and possible adoption of Ordinance No. 3581, amending the Broken Arrow Code of Ordinances, Chapter 24, Water, Sewer and Sewage Disposal, Article VI, Water Service Charges and Rates, Section 24.602, Service Tap Charge; specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary

- M. 19-684 Consideration, discussion, and possible adoption of Ordinance No. 3582, amending the Broken Arrow Code of Ordinances, Appendix A - Zoning Ordinance Chapter 1, General Provisions, Section 1.4, Applicability and Jurisdiction; specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary

- N. 19-692 **Consideration, discussion, and possible adoption of Ordinance No. 3584, amending the Broken Arrow Code of Ordinances, Appendix A - Zoning Ordinance, Chapter 3, Use Regulations, Section 3.4, Temporary Uses Of Structures; specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary**

12. Remarks and Inquiries by Governing Body Members

Mayor Thurmond thanked Staff for its hard work during the flood event, and the Emergency Operations Center for being open 24 hours a day during the emergency. Council Member Wimpee concurred. Council Member Parks stated communication was exceptional during this emergency. Vice Mayor Eudey stated Broken Arrow was blessed to have such an excellent City Staff and Administration.

Council Member Wimpee thanked and commended Walter Still and Floral Haven Funeral Home for the work done during Memorial Day. She stated Floral Haven Funeral Home performed a Tomb of the Unknown Soldier reenactment from Saturday at 10:00 a.m. until Monday at 4:00 p.m., as well as an Avenue of Flags with over 3,000 flags. She encouraged citizens to stop by during Memorial Day weekend.

13. Remarks and Updates by City Manager, including Recognition of Recent Accomplishments by Employees and Elected Officials

City Manager Spurgeon reported the Small Area Plan Meeting would be held June 18, 2019 at 7:30 p.m. He reported June 11, 2019 there would be a Meeting with Senator Haste and Senator David regarding future installation of on-ramps and off-ramps on Muskogee Turnpike in connection with the Reserve Center. He encouraged City Council Members to attend. He stated the Meeting would be held at the Coweta City Hall. He noted the Secretary of Transportation and Head of the Turnpike Authority, Tim Gatz, would be in attendance.

He echoed City Council's remarks and commendations of Staff during the recent flooding emergency. He noted a Meeting would be held with Staff in the near future to discuss what was done well and what could be done better. He commended City Council for its efforts as well, and for getting out into the Community to see how the City was affected during the flood event.

At approximately 8:44 p.m. Mayor Thurmond stated there was a tabled Item and he would entertain a motion for a brief recess to enter into BAMA (Broken Arrow Municipal Authority) and BAEDA (Broken Arrow Economic Development Authority).

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

Move for a brief recess to enter into BAMA and BAEDA

The motion carried by the following vote:

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

At approximately 8:48 p.m. Mayor Thurmond reconvened the Meeting of the City Council to discuss the tabled Item 9C (see above).

14. Executive Session

There was no Executive Session.

15. Adjournment

The meeting adjourned at approximately 8:49 p.m.

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

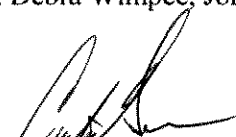
Move to adjourn

The motion carried by the following vote:

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



Mayor



City Clerk

