



City of Broken Arrow

Minutes City Council Meeting

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

Tuesday, May 5, 2020

Time 6:30 p.m.

Council Chambers

1. Call to Order

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

2. Invocation

Pastor Troy Bell performed the invocation.

3. Roll Call

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

4. Pledge of Allegiance to the Flag

Vice Mayor Scott Eudey 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. 20-9 Approval of the City Council Meeting Minutes of April 21, 2020
- B. 20-449 Approval of and authorization to execute Teladoc Health Services Agreement to provide virtual healthcare services for the employee health plan
- C. 20-438 Approval of and authorization to execute Amendment No. 1 to Agreement for Professional Consulting Services with Olsson, Inc. for Southwest Broken Arrow Park (Project No. 196031)
- D. 20-444 Approval of and authorization to purchase a new Firearm Simulator from TI Training LE, LLC which includes the upgrade and refurbishment of the Police Department's existing Firearms Simulator for the Police Department
- E. 20-446 Award the most advantageous bid to Vermeer Great Plains for the purchase of one (1) Vermeer BC 1500 brush chipper for the Streets and Stormwater Department and approve budget amendment #9
- F. 20-447 Approval of and authorization to execute Change Order #1 with Cherokee Pride Construction on Construction Contract ST1921; Detroit Street 3rd to 9th Street Rehabilitation
- G. 20-450 Approval of PT17-105B, Conditional Final Plat, Aspen Crossing II, 42 lots, 16.59 acres, A-1 to RS-3 (Single Family Residential)/ (Planned Unit Development) PUD-260, north of the northeast corner of Jasper Street (131st Street) and Aspen Avenue (145th East Avenue)
- H. 20-314 Acceptance of a Deed of Dedication from Nghi Uy Truong and Diem Thuy Khoa Nguyen on an approximately 11.5-acres of unplatted property located approximately one-quarter mile east of Garnett Road (113th East Avenue), south of Houston Street (81st Street) as shown in Exhibits F.1 and F.2, Tulsa County, State of Oklahoma (Section 20, T18N, R14E)
- I. 20-315 Acceptance of a Utility Easement from Nghi Uy Truong and Diem Thuy Khoa Nguyen on an approximately 11.5-acres of unplatted property located approximately one-quarter mile east of Garnett Road (113th East Avenue), south of Houston Street (81st Street) as shown in Exhibits H.1 and H.2, Tulsa County, State of Oklahoma (Section 20, T18N, R14E)
- J. 20-441 Acceptance of a Utility Easement and Temporary Construction Easement from Briight Properties CH-BA LLC, on property located at 251 East Hillside Drive, Broken Arrow, located in the Northwest Quarter of the Section 2, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma. Parcel 1.0 and 1.1 for the Kenwood Hills High Pressure Plane Waterline. Project No. WL1903

- K. 20-433 Acceptance of a Utility Easement and Temporary Construction Easement from Chapel on a Hill, LLC, on property located at 216 Luther Drive, located in the Southeast Quarter of the Section 2, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, Parcel 4.0 and 4.1 for the Kenwood Hills High Pressure Plane Waterline Project No. WL1903
- L. 20-440 Acceptance of a Utility Easement and Temporary Construction Easement from Wimber and Mary Bunn on property located at 130 East Norman Place, Broken Arrow, located in the Southeast Quarter of the Section 2, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, Parcel 5.0 for the Kenwood Hills High Pressure Plane Waterline Project No. WL1903
- M. 20-459 Ratification of the Claims List Check Register dated April 29, 2020

6. Consideration of Items Removed from Consent Agenda

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

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

A. 20-256 **Presentation of Service Award Pin to Vice Mayor Scott Eudey**
Mayor Thurmond congratulated Vice Mayor Eudey for earning the Service Award Pin. He presented the Award to Vice Mayor Eudey while practicing proper social distancing.

- B. 20-437 **Approval of and authorization to execute a Proclamation declaring the week of May 3 - 9, 2020, as National Drinking Water Week**
Utilities Director Charles Vokes reported this week, May 3 through May 9, was celebrated as National Drinking Water Week. He stated the American Water Works Association and its members celebrated Drinking Water Week to bring recognition to the vital role water played in the daily lives of all individuals. He indicated Drinking Water Week also reminded the public of the critical role Water Utilities and employees played in providing clean, safe, and abundant water to the public. He noted worldwide there were approximately 780 million people who did not have safe access to drinking water; there were over 2 million people in the United States without access to safe drinking water. He stated water must be available, accessible, and affordable to keep the Community safe, healthy, and thriving; "Water is Life."

Mayor Thurmond stated Broken Arrow water was special. He indicated Broken Arrow had the largest membrane water treatment system in the Midwest.

Vice Mayor Eudey stated he grew up in an area in western Oklahoma where there were some who were unsure whether there would be enough water to drink, feed the cattle and water the plants. He stated living in a part of the world where there was an abundant supply of water available was a true blessing.

Council Member Johnnie Parks noted the membrane water treatment system was an expensive system, but was state of the art. He noted he took several youth groups on tours of the water treatment plant and the plant was an exceptional place.

MOTION: A motion was made by Scott Eudey, seconded by Christi Gillespie.
Move to approve and authorize execution of a Proclamation declaring the week of May 3 - 9, 2020, as National Drinking Water Week
The motion carried by the following vote:

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

- C. 20-409 **Approval of and authorization to execute a Proclamation declaring the week of May 17-23, 2020, as National Public Works Week**
Director of Streets and Stormwater Rocky Henkel stated on behalf of the Assistant City Manager of Operations Mr. Kenny Schwab and the Operations Department, along with the Sanitation and Street Divisions, he was bringing before City Council a Proclamation recognizing National Public Works Week as May 17 through May 23. He reported in the United States, there were approximately 19,400 municipalities of varying sizes. He stated in each community, whatever its size, there were needs common to all human beings which must be met through the provision of public works services. He indicated these needs were met on a daily basis by visionary, values-driven, and hardworking men and women who provided and sustained public works services in the best interests of the communities. He reported the American Public Works Association (APWA), along with its 30,000 members, would celebrate the week of May 17-23, 2020 as National Public Works Week. He noted this week, celebrated annually, honored the thousands of men and women who were first responders and who provided services to communities to enhance the quality of life. He indicated this year's theme was "The Rhythm of Public Works"; this theme challenged APWA members and citizens to think about communities as a symphony of essential services, working in concert to create a great place to live. He stated every community had a rhythm, a heartbeat which reflected its essence and tempo of life.

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

Move to approve and authorize execution of a Proclamation declaring the week of May 17-23, 2020, as National Public Works Week

The motion carried by the following vote:

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

**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)**

Mayor Thurmond indicated one Citizen signed up to speak.

Citizen Grady Cole stated he had been present to discuss his concerns once before, but was still experiencing difficulties. He commented he appreciated the improvements which had been done on Lynn Lane near his home as it improved traffic. He indicated installation of the curb, however, directed water into his neighborhood and onto his property. He indicated following his previous visit regarding this matter the City installed a hump in the road which redirected most of the water into the stormwater drainage system. He stated he appreciated this; however, his problems were not completely eradicated. He distributed pictures to the City Council Members illustrating his problems. He noted he purchased a sump pump to help eliminate water when it rained. He thanked the City for the efforts that had been made thus far to fix this problem, but he was still experiencing problems. He discussed the reasons he believed the water was still getting under his house.

Mayor Thurmond indicated the City Council could not take any action regarding this matter. He asked if Mr. Cole filed a tort claim with the City. Mr. Cole responded in the affirmative. Mayor Thurmond asked the City Attorney if this created a legal problem; was the City Council permitted to discuss this matter. City Attorney Dennis responded there was no legal problem; there were thirty days left in the ninety-day investigation period. He indicated a survey needed to be done of Mr. Cole's property, following which a response would be given to Mr. Cole.

9. General Council Business

A. 20-392 Consideration, discussion, and possible appointment of three (3) Trustees to the Oklahoma Municipal Assurance Group Board and approval of and authorization for the Mayor to execute the official ballot casting votes for the three (3) Trustee appointments with three year terms commencing July 1, 2020

City Manager Michael Spurgeon reported the Oklahoma Municipal Assurance Group (OMAG) was a provider of General Liability, Auto, Workers' Compensation, Property and Risk Management services for Oklahoma cities and towns since 1977. He stated the OMAG was governed by a seven-member Board nominated and elected by its members. He indicated the City had been a member of OMAG since 1982 and the terms of three trustees would expire on June 30, 2020. He stated thirteen individuals were nominated to fill the three vacancies. He reported after a review of the biographical summaries, Staff recommended the ballot be cast for Pam Polk, City Manager, City of Collinsville; Tim Lyon, City Manager, City of Midwest City; and Kim Peterson, Vice-Mayor, City of Poteau. He stated he knew two of these three individuals very well and he believed they would represent the City of Broken Arrow and the rest of the Members of OMAG well. He reported there were other nominees for the City Council's consideration if it so wished.

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

Move to approve the appointment of Pam Polk, City Manager, City of Collinsville; Tim Lyon, City Manager, City of Midwest City; and Kim Peterson, Vice-Mayor, City of Poteau to the Oklahoma Municipal Assurance Group Board and approve and authorize the Mayor to execute the official ballot casting votes for the three (3) Trustee appointments with three year terms commencing July 1, 2020

The motion carried by the following vote:

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

B. 20-439 Consideration, discussion, and possible approval to grant a waiver for property owned by Joshua Stenros located within the Amended Glen Eagles subdivision regarding the Assessment District for stormwater initiated in 2007

Assistant City Manager of Administration Russell Gale reported at the February 18, 2020 City Council meeting Mr. Joshua Stenros advised the City Council he had recently received notice from the Wagoner County Treasurers Office threatening to remove his property from his possession due to nonpayment of the assessment. He indicated Mr. Stenros stated the assessment was not a part of his closing documents when he purchased the property and the assessment should not be his responsibility. He stated Mr. Stenros believed the assessment was the responsibility of the previous homeowner; Mr. Stenros was requesting relief from the assessment. He reported the Assessment Mr. Stenros referenced was an Assessment for the subdivisions of Glen Eagles and Steeplechase Farms. He explained the Assessment provided the property owners in these subdivisions would pay for the construction materials and the City would incur the construction costs using the City workforce. He reported upon completion of the project property owners began paying the City back for the improvements.

He reported to date over \$101,000 dollars in assessments had been paid by 219 property owners who paid in full and 57 property owners who made partial payments. He indicated the remaining balance for the 57 properties was approximately \$21,000 dollars. He stated in the summer of 2017 seventeen homeowners received notification regarding the assessment on the homeowner's properties. He stated in six cases the homeowners provided documentation the City had advised the closing company no assessment existed on the property; in these cases, the property owners were granted a waiver. He stated in November of 2017 one property owner advised City Council the closing company contacted only Wagoner County who advised there was no assessment; a waiver was also granted in this circumstance. He stated Wagoner County records revealed Mr. Andrew Cook sold the property in question to Mr. Stenros in January 2017. He stated the Community Development Department advised there was never a request from any party to determine if an assessment existed on the property. He stated last month the City was advised by the Wagoner County Treasurer that Mr. Stenros paid \$95.62 toward the assessment balance; this payment removed Mr. Stenros's property from the Wagoner County Treasurer's auction list. He indicated there was no record the City erred when Mr. Stenros purchased the property; Staff recommended denial of the waiver request.

Council Member Gillespie asked what Mr. Stenros's argument was.

Mr. Stenros indicated when he purchased his home it was via the assumption of an old mortgage; he took over Mr. Cook's mortgage. He explained it was not a traditional purchase and as such there was no requirement to ask the City of Broken Arrow about assessments.

Council Member Wimpee asked what the balance was on the assessment owed for Mr. Stenros's property. City Manager Spurgeon responded \$479 dollars.

Vice Mayor Eudey noted he had a background in real estate. He stated it was incumbent upon the buyer to investigate and determine if there were any possible liens on the property. He stated if this was an assumption of a mortgage, and Mr. Stenros did not go through a closing company, or have a closing company follow normal procedures, it was not an error of the City. He stated in the previous cases for which the City issued waivers, the City was at fault; however, in this case the City was not at fault, Mr. Stenros or his agents did not make a proper inquiry which was standard practice. He noted he was sympathetic as he would be upset as well; however, Mr. Stenros's frustration belonged with the prior owner who failed to disclose this information to Mr. Stenros, or the closing company who failed to inquire, rather than the City of Broken Arrow. He indicated it was not fair to those who had paid the assessment for the City to grant Mr. Stenros a waiver.

Mr. Stenros indicated he understood Vice Mayor Eudey's point. He stated it was also unfair to the residents of Steeple Chase and Glen Eagle to pay for these improvements when two other subdivisions were also taking advantage of the improvements without cost. Vice Mayor Eudey stated this was a different issue than what was before City Council today. Mr. Stenros stated he mentioned this at the prior meeting, and he understood this would be investigated. He stated he would pay the debt even though he did not feel the debt was his; however, he believed the issue of two other subdivisions taking advantage of the stormwater improvements while not contributing monetarily should be considered. Vice Mayor Eudey agreed this should be investigated.

MOTION: A motion was made by Scott Eudey, seconded by Johnnie Parks
Move to deny Mr. Stenros's request that the assessment on his property be waived
The motion carried by the following vote:

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

Vice Mayor Eudey asked for Mr. Stenros's question to be investigated. City Attorney Dennis discussed the appropriate process regarding assessments which was followed in this case. He noted proper notice was given and no objections or complaints were filed regarding the assessment roll, but he would double check to ensure this was the case.

Vice Mayor Eudey asked for this to be added to a future agenda as a discussion item if there was an objection or complaint found to have been filed. City Attorney Dennis agreed.

Assistant City Manager over Operations Kenny Schwab reported following the previous meeting he spoke with Mr. Stenros. He stated he was trying to schedule a meeting with the HOA of Steeple Chase and Eagle Glen and was waiting for Mr. Stenros to schedule said meeting.

- C. 20-445 **Consideration, discussion, and possible approval of and authorization to execute an Economic Development Agreement between the City of Broken Arrow and East Kenosha Development, LLC for AutoZone Auto Parts to be located near 20th and Kenosha Street in Broken Arrow and approval of and authorization to execute Resolution No. 1319, a Resolution approving and authorizing execution of a certain**

Economic Development Agreement by and among the City of Broken Arrow and East Kenosha Development, LLC; and other provisions relating thereto

Economic Development Manager Norm Stephens reported on March 4, 2020 Mr. Joe Adwon, doing business as East Kenosha Development, LLC., approached Broken Arrow Economic Development Manager Norm Stephens (himself) requesting to enter into an economic development agreement with the City of Broken Arrow for the purpose of locating an AutoZone Auto Parts store in the East Kenosha Development, located at 20th and Kenosha, in Broken Arrow. He stated Mr. Adwon advised he is under contract with AutoZone to build a 7,362 square foot retail store that would employ approximately ten to twelve full time employees. He stated Mr. Adwon requested financial assistance from the City to extend the pavement of 20th Street, south of Kenosha, as well as storm sewer improvements; in addition, Mr. Adwon requested financial assistance to complete the traffic signal at 20th and Kenosha. He reported on March 17, 2020, Mr. Stephens presented information related to the request from Mr. Adwon to BAEDA in Executive Session. He noted at the conclusion of the Executive Session, BAEDA members came back into open session, and recommended the City Manager enter formal negotiations with Mr. Adwon. He reported those negotiations yielded the following: Mr. Adwon, DBA East Kenosha Development LLC would construct or cause to be constructed a 7,362 square foot AutoZone Auto Parts Retail Store, and the City of Broken Arrow would appropriate and encumber a sum not to exceed \$67,133 dollars for reimbursement to East Kenosha Development LLC for construction of infrastructure relating to a pavement extension on North 20th Street and construction of a storm sewer. He stated the City of Broken Arrow, at its sole cost, would be responsible for traffic control improvements along the north side of Kenosha and 20th Street to accommodate the projected traffic to the site. He reported the traffic control improvements would consist of installation of traffic signals and traffic control modifications designed, constructed, and installed at the sole discretion of the Broken Arrow Economic Development Authority. He further discussed the negotiations. He noted in the original document, Mr. Adwon estimated the completion date would be July 15, 2020; last night he received an email from Mr. Adwon requesting this date to be changed to October 31, 2020. He stated Mr. Adwon was present to answer questions.

Vice Mayor Eudey asked, with regard to the claw-back, was there a security agreement or mortgage which would secure the payment if required. City Attorney Dennis responded in the negative. Vice Mayor Eudey asked if City Attorney Dennis was comfortable with this. City Attorney Dennis responded requiring a security agreement or mortgage to secure a claw-back payment had not been done in the past, but Broken Arrow had success with claw-backs. Vice Mayor Eudey stated he did not wish to treat Mr. Adwon differently than others; however, adding a security agreement in the future might be worthy of discussion. City Attorney Dennis agreed.

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

Move to approve and authorize execution of an Economic Development Agreement between the City of Broken Arrow and East Kenosha Development, LLC for AutoZone Auto Parts to be located near 20th and Kenosha Street in Broken Arrow and approve and authorize execution of Resolution No. 1319, a Resolution approving and authorizing execution of a certain Economic Development Agreement by and among the City of Broken Arrow and East Kenosha Development, LLC; and other provisions relating thereto

The motion carried by the following vote:

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

D. 20-472 Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1321, a Resolution of the Broken Arrow City Council designating up to seven parking spaces within the Rose District located between East Dallas Street and East Broadway Avenue on the East and West sides of Main Street to be designated reserved curbside pick-up only

Mr. Norm Stephens reported on April 22, 2020 the State of Oklahoma published the Governor's Open Up and Recover Safely three-phase approach to open Oklahoma's economy. He reported Phase I was fully implemented on May 1, 2020 which allowed the reopening of dining and entertainment as well as retail. He stated shortly after May 1, the City was approached by a restaurant in the Rose District requesting a consideration for the City to allow a reserved parking spot in front of the restaurant designated for pick-up orders only. He explained although allowed, many customers were reluctant to enter establishments due to concern for social distancing; however, they would utilize curbside pick-up. He stated in an effort to assist the financial viability of restaurant and retail establishments in the Rose District, and the limited amount of excess parking along Main Street, a temporary Resolution was being requested to install signage to enable curbside pick-up in the district. He reported the signs would read: "Reserved for Curbside Pick-up Only." He indicated the signs would be located on both the east and west side of Main Street between Dallas and Broadway sporadically. He explained the parking spaces would not be reserved for specific restaurants or retail establishments but would serve any resident utilizing curbside pickup in the area. He stated it was anticipated there would be no more than seven reserved for curbside pick-up

spaces; however, he believed he could get away with utilizing only five spaces in the Rose District in the two-block span. He reported there were 51 total spaces between Dallas and Broadway, four of which were designated handicap spaces. He indicated the temporary Resolution would expire on July 1, 2020.

Vice Mayor Eudey asked if the Resolution reflected Mr. Stephens amendment to five curbside pick-up spaces. Mr. Stephens responded the Resolution called for up to seven curbside pick-up parking spaces; installing only five signs would not be in conflict with the Resolution.

Council Member Wimpee asked if the signs could be removed prior to July 1, 2020 if Broken Arrow were able to open fully. Mr. Stephens responded in the affirmative. Council Member Wimpee asked if the other businesses in the area agreed to these signs. Mr. Stephens responded he did not speak with each of the businesses in the area; however, he knew each of the businesses in the area were providing curbside pick-up service and would appreciate the ability for customers to come in quickly to pick-up food and goods.

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

Move to approve and authorize execution of Resolution No. 1321 allowing curbside pick-up between East Dallas Street and East Broadway Street on the east and west side of Main Street

The motion carried by the following vote:

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

E. 20-461 Consideration, discussion and possible approval of and authorization to execute a First Amended Employment Contract for Professional Services with Steve Edgar as Presiding Judge for the City of Broken Arrow's Municipal Court

City Attorney Trevor Dennis reported Judge Edgar's contract with the City to be a municipal judge expired this month. He stated prior to the expiration of a Judge's term, the Judicial Nominating Committee would meet and submit to the Mayor a recommendation concerning the sitting Judge's reappointment. He reported due to the COVID-19 pandemic, no meeting of the Judicial Nominating Committee had taken place. He indicated he was requesting a one-month extension of Judge Edgar's employment agreement to allow the Judicial Nominating Committee to meet and make a recommendation to the Mayor. He stated the cost of the employment extension was \$3,980.41 dollars plus FICA taxes.

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

Move to approve and authorize execution of a First Amended Employment Contract for Professional Services with Steve Edgar as Presiding Judge for the City of Broken Arrow's Municipal Court

The motion carried by the following vote:

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

F. 20-462 Consideration, discussion and possible approval of and authorization to execute a First Amended Employment Contract for Professional Services with Dennis Sagely as Alternate Judge for the City of Broken Arrow's Municipal Court

City Attorney Dennis reported this was a companion Item to the previous Item (Item E). He noted Judge Sagely was the Alternate Judge and his contract followed the same process with the Judicial Nominating Committee. He asked for a one-month extension of Alternate Judge Sagely's employment contract as well.

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

Move to approve and authorize execution of a First Amended Employment Contract for Professional Services with Dennis Sagely as Alternate Judge for the City of Broken Arrow's Municipal Court

The motion carried by the following vote:

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

G. 20-443 Consideration, discussion, and possible approval of and authorization for Mayor Craig Thurmond to execute a letter supporting the City of Broken Arrow application for Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grant funds for the Broken Arrow Corridors Safety Improvement (which includes both the 9th Street and Elm Place Corridors from Kenosha Street to Albany Street)

Transportation Manager Travis Small reported the City of Broken Arrow selected both the corridors of 9th Street and Elm Place, between Houston and Kenosha Streets, to apply for a Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grants program. He explained, if awarded, the BUILD Grant would be used to construct roadway improvements and widen both street corridors, as well as improvements to both bridges over SH-51 (Broken Arrow Expressway), along with interchange reconfigurations. He noted the BUILD Grant would augment existing Surface Transportation

Program (STP) funds and local funds (GO Bonds). He indicated Staff recommended City Council approve the Mayor's signature on a support letter for the BUILD Grant.

Mayor Thurmond asked if Broken Arrow was asking for the maximum of \$25 million dollars. Mr. Small responded in the affirmative.

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

Move to approve and authorize Mayor Craig Thurmond to execute a letter supporting the City of Broken Arrow application for Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grant funds for the Broken Arrow Corridors Safety Improvement (which includes both the 9th Street and Elm Place Corridors from Kenosha Street to Albany Street)

The motion carried by the following vote:

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

H. 20-448 Consideration, discussion, and possible approval of design and bidding considerations regarding the Hillside Drive Retaining Wall Replacement Project (ST2034)

Mr. Travis Small reported in late fall 2019, Wallace Engineering performed a re-design and prepared subsequent construction plans for the replacement of the Hillside Drive Retaining Wall system. He reported in December 2019 the City advertised the retaining wall for bids. He indicated the bids were opened in January 2020; only two bids were received and opened with both bids coming in significantly over the City's construction budget. He indicated the apparent low bidder for the base bid alone was \$500,000 dollars over budget. He reported in February 2020 the governing body rejected all bids, but not before the Council approved Engineering and Construction Staff to contact bidders to evaluate the bids and determine areas of critical concern which impacted the proposed cost. He reported Staff discovered several relevant points of information during the discussions with the design engineer and the two bidders: 1) All concurred a similar type wall to existing conditions, an MSE wall, constructed with a properly sized drainage field and media placed behind the wall which also accounted for the existing geotechnical conditions, would be an adequate and economical solution to the existing problem. 2) The limited right-of-way, along with the height and backslope of proposed excavation, factored heavily into bid prices. Bidders were concerned with the safety of their workers being placed between the excavation and the proposed formed wall. Added slope protection was included in the bid prices which increased the cost significantly. 3) Safety was not as big of a concern with modular block wall, or MSE wall, construction. Construction of the MSE wall was one level at a time and did not force workers to be placed into a deep, confined location exposed to the danger of slope failure. 4) The construction contract time of 150 days was considered short and became a major concern which factored into higher bid prices. 5) Use of the Oklahoma Department of Transportation (ODOT) pre-qualification list eliminated some smaller contractors who could perform the work adequately but for various reasons had not become pre-qualified through ODOT.

Mr. Small indicated after studying the information above, Staff developed the following plan of action with respect to the project: 1) Reach out to outside experts to review current conditions and make recommendations for a solution which would meet the City's budget constraints. 2) Increase the construction contract time from 150 days to 180 days. 3) Provide additional permanent right-of-way or temporary construction easement space at the top of the wall. 4) Remove the ODOT pre-qualification requirement from the future re-bid of the project. He indicated Staff reached out to several retaining wall design experts to discuss the project. He noted the proposed concrete wall design, as well as the coinciding geotechnical report, were provided for expert review and to make recommendations. He reported the experts in question made no recommendations to change the concrete wall design; a consensus was reached that an MSE wall design, either a small block or a large block wall, could be designed to adequately withstand the loads, hydrostatic pressures, and existing geotechnical conditions found at the current Hillside Drive wall location. He reported it was also a consensus the cost of an MSE wall would be significantly less than the previously designed, bid, and rejected, concrete retaining wall. He noted with this information, and in hopes of developing a design which would fit within the City's budget constraints, the Engineering and Construction Staff teamed with a consultant, whose expertise lies in MSE wall design, to create set of construction plans for replacement of the existing Hillside Drive retaining wall. He explained instead of the small block style similar to the existing wall, a large block style design was chosen for several reasons; the large blocks were a heavier, more substantial design; and large blocks were also able to withstand vehicular impacts with little or no damage to the block itself.

Mr. Small reported with both the concrete wall design and the MSE large block wall design in hand, the Engineering and Construction Department proposed to bid the ST2034 Hillside Drive Retaining Wall Replacement project as one bid package with Schedule A and Schedule B options. He explained this method allowed perspective bidders to bid either Schedule A (the concrete wall), or Schedule B (the MSE large block wall), with only one Schedule to be awarded. He indicated it would be up to City Council to choose between Schedule A and Schedule B. He noted bidding the project as such was anticipated to increase the pool of

perspective bidders, thereby providing more competitive bidding; it would also provide construction options which should fall within the City's budget and meet accepted engineering design criteria, as well as safety standards. He noted another way to increase the perspective bidders pool, thereby increasing the probability of more competitive bidding, was to consider removing the ODOT pre-qualification requirement. He stated Staff recommended bidding the Hillside Drive Retaining Wall project with a Schedule A and a Schedule B option. He stated Staff also recommend removing the ODOT pre-qualification restriction.

Council Member Wimpee asked if there was any liability for not using an ODOT pre-qualified contractor. Mr. Small responded in the negative. He explained the ODOT prequalification was added to the project due to concerns with respect to the ability of contractors to perform the work; however, it was not felt adding the restriction hurt the City in regards to the cost of the project; if more contractors were able to bid on the project the prices would be more competitive.

Mayor Thurmond indicated ODOT prequalified contractors tended to charge higher rates, as such there was an advantage to allowing non ODOT prequalified contractors to bid; however, it was important for this project to be completed properly. He asked, if approved, when would the bids come in. Mr. Small responded if approved the bids would be advertised Monday and the following Monday, and bids would be opened June 2, 2020; construction possibly could begin early July.

Vice Mayor Eudey stated while Mayor Thurmond was correct about the cost, he was leery of removing the prequalification requirement as this had not worked well in the past with other wall construction. He noted Broken Arrow had hired contractors in the past who had no experience in the wall construction area. He asked in light of Broken Arrow's history, and in light of Mayor Thurmond's point, was Mr. Small comfortable Broken Arrow would be able to award this project to a contractor competent enough to construct this wall properly. Mr. Small responded in the affirmative. He stated he believed the City could review the bidders references and past work performed (provided in the bid packet) and if the contractor did not meet the qualifications to build a structure of this type, said contractor could be removed from the bid pool.

City Attorney Dennis concurred; the City had a right to select the lowest responsible bidder and references and past work could be considered to ensure the City selected a competent, qualified contractor who had the technical expertise and ability to perform this technical work.

Mr. Small stated City Staff would review the bids very carefully and only bidders who had performed projects similar to this project in the past would be considered.

Council Member Parks stated he liked the idea of bidding this project as a Schedule A and Schedule B project; however, he was not convinced a block wall could be constructed in this location which would hold. He stated the failure of this wall was an embarrassment. He indicated he did not believe a block wall would be successful in this location and he certainly did not want another failed wall. He stated he was also leery of selecting a contractor who was not preapproved by ODOT for this project. He stated he understood the safety concerns regarding construction of a concrete wall, and he understood it was more expensive; however, he did not want to spend good money on a bad job; he would rather spend extra money on a good job the first time.

Discussion ensued and City Council agreed a poured concrete wall was the optimal choice.

Mayor Thurmond indicated selecting an ODOT prequalified contractor did not guarantee a solid wall; he noted many years ago in Tulsa two 25-foot-high walls were constructed by ODOT approved contractors which both fell due to improper installation. He indicated it was important to closely monitor the construction of this wall. He agreed a reinforced concrete wall was needed in this location.

Vice Mayor Eudey agreed a concrete wall was needed in this location. He indicated he would rather spend \$2 million dollars on a concrete wall now which would hold, than \$1.5 million dollars on a block wall which fell. He stated he was worried the bidders would all choose the Schedule B block wall versus Schedule A. He stated this made him nervous; the City only had one chance to get this wall right.

Mr. Small explained advertising the bids in this manner did not restrict City Council to the absolute lowest bid; City Council would have two options and would have the option to choose which option was best. He explained if the MSE block wall came in \$500,000 dollars less than the reinforce concrete wall, it did not mean the City Council had to choose the MSE block wall; City Council could choose the reinforced concrete wall option. He discussed the new MSE block wall design and indicated he felt the new design would function well and would hold; however, City Council had the ability to choose either wall design as it saw fit.

Council Member Gillespie asked if the City could also consider what companies the bidder was subcontracting to. She indicated she noted in the past, bidders who lost the contract actually performed the construction as subcontractors under the winning bidder.

Mr. Small stated he understood Council Member Gillespie's concern. He noted typically the City did not dictate to the contractor who was awarded the project who the subcontractors could be. He asked City Attorney Dennis if there was any opportunity to review subcontractors.

City Attorney Dennis responded in general, the contract was between the City and the general contractor. He stated he was unfamiliar with the idea of disqualifying subcontractors, but he could explore this as a potential option.

Vice Mayor Eudey discussed the possibility of including in the contract the City's ability to examine subcontractors, as well as the contractors. He suggested including a provision which allowed the City to review who a contractor was hiring to perform the work. He agreed with Council Member Gillespie; the City in the past had awarded contracts to certain bidders, who in turn hired as subcontractors, bidders who had lost the bid due to being poorly qualified to complete the construction. He stated he believed if the City had no ability legally to prevent this from happening, it was important for the public to understand why.

Mayor Thurmond recommended language which gave the City the right to reject a subcontractor if said subcontractor did not meet the City's standards. He indicated he used such language in his private sector contracts. He stated he was unsure if this type of language were permitted in the public sector, but if so, he would be happy to share this language with City Attorney Dennis for inclusion in the contract. He indicated he was doubly concerned about this wall's construction due to the possibility of seismic activity; seismic activity had already once contributed to this wall's failure. He stated he believed this was another reason he was certain a reinforced concrete wall was needed in this location.

Mr. Kenny Schwab, Assistant City Manager of Operations, stated he believed a document could be included in the bid packet where the bidder could list proposed subcontractors. He stated this would allow the City to consider the subcontractors and if there was a subcontractor on the list who performed poorly in the past, or who the City had a law suit with, the City could choose to pass on said bidder. He stated he believed this would be simple to do.

City Attorney Dennis stated he would have the Legal Team review this as an option. He noted there were many intricacies with competitive bidding; therefore, he would conduct some research and report back to the governing body in this regard.

Mayor Thurmond stated the APAA Greenbook which much of the country used as a guidebook indicated if something was constructed incorrectly to remove and replace the incorrectly constructed structure. He reported the ODOT Redbook Broken Arrow used indicated payment could be adjusted down to 90% if substandard construction work was done. He stated he knew some ODOT contractors completed substandard work and were happy with being compensated at 90% when said contractors performed at only 70% or 80%. He indicated utilizing a contractor who was not ODOT prequalified might be of benefit. He agreed opening the bidding up to other contractors was a good idea.

Council Member Parks asked who was inspecting the walls which were being built. Mr. Schwab responded typically Broken Arrow inspected walls; however, a third-party inspector could be hired for this particular wall. Council Member Parks indicated, while Broken Arrow inspectors were excellent, it might be a good idea to have an outside company on the site daily to inspect the construction process.

Vice Mayor Eudey agreed. Mayor Thurmond agreed. Mr. Schwab agreed. Mr. Schwab stated the wall which was in place had a mixture of soil types surrounding it. He noted the reinforced zone of the existing wall was only 18 to 19 feet deep from the face of the wall back at the highest point. He indicated the newly designed MSE block wall was 27 feet deep. He stated this equated to approximately a 25% increase in design soil pressure. He further discussed the new wall design, geotechnical testing, and the soil under the wall, explaining the newly designed MSE block wall, as well as the reinforced concrete wall, were a much better design than the existing wall.

Council Member Wimpee asked if the motion being made tonight would be affected by the changes City Attorney Dennis would be making to the contract. Mr. Schwab responded in the negative; the City Council could approve Item H, which was before Council now, and City Attorney Dennis would conduct research and add more restrictive language to the contract. He explained this should push the bid advertisement date out one week only. Discussion ensued regarding the proper motion language and the legal department

researching the possibility of including a subcontractor list and other more restrictive language in the bid.

City Attorney Dennis commented there was a risk of most bidders only bidding on Schedule B versus Schedule A or vice versa if this were approved as it was.

Council Member Parks asked how much of the soil behind the current wall would be removed before the new wall was constructed. Mr. Schwab responded the concrete cantilever wall, due to it being heavier in mass, required very little excavation. He displayed an illustration which showed the concrete wall excavation requirements, drainage, dimensions, etc.

Vice Mayor Eudey stated he was still concerned the bidders would only bid on the Schedule B wall and ignore the Schedule A wall as it was more difficult to construct. Mr. Schwab agreed this was indeed a risk. Discussion ensued about the possibility of requiring bidders to bid on both Schedule A and Schedule B. Mr. Schwab indicated this could not be done. He indicated if bids were only received for Schedule B, City Council could reject all bids and advertise bids for Schedule A.

Mayor Thurmond asked if City Council could vote to only advertise for Schedule A. Mr. Schwab responded in the affirmative; however, he explained the logic was to determine the cost difference between the two walls and make an educated decision once all information was gathered.

Vice Mayor Eudey noted the project time period was being extended thirty days, additional permanent right-of-way and temporary construction easements were being provided, and the ODOT prequalification was being removed; therefore, a larger number of bids should come in and the Schedule B wall option might not be necessary. Mr. Schwab agreed. He noted language could be added requesting proof of experience with this type of project as well.

City Attorney Dennis stated a contractor's qualifications, experience and abilities were considering factors when choosing the most responsible bidder.

Council Member Parks asked if Mr. Schwab was content with the engineering design of the concrete wall. Mr. Schwab responded in the affirmative.

Council Member Gillespie asked if the only reason for the Schedule B option was to lower costs. Mr. Schwab responded Schedule B was intended to provide a better comparison point.

Vice Mayor Eudey asked if the Engineering Department had a preferred wall design. Mr. Schwab responded in the negative; however, in his experience and in the experience of the Engineering Department, the concrete cantilever wall mechanics were easily defined, while the MSE block wall mechanics were much more complicated and depended upon a computer software program to be defined.

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

Move to approve and authorize design and bidding considerations regarding the Hillside Drive Retaining Wall Replacement Project with the previously noted Schedule A option only, as well as removing ODOT prequalification requirements

The motion carried by the following vote:

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

I. 20-451 Consideration, discussion, and possible reappointment of Lee Whelpley to the Broken Arrow Planning Commission for a three-year term to expire May 5, 2023

Community Development Director Larry Curtis reported Planning Commission members were appointed to serve three-year terms. He stated the term of Planning Commissioner Lee Whelpley expired today, May 5, 2020. He indicated Mr. Whelpley expressed his willingness to continue to serve on the Commission for another term. He noted Mr. Whelpley was first appointed to the Planning Commission on May 17, 2011 and had now completed his third term. He stated Mayor Craig Thurmond recommended Mr. Whelpley be reappointed for a three-year term to expire on May 5, 2023, pursuant of Ordinance No. 3445.

Council Member Gillespie stated Mr. Lee Whelpley was an excellent appointment; however, she felt Broken Arrow needed to consider bringing new individuals into the Planning Commission. She stated she understood Broken Arrow did not have term limits but felt term limits should be a possibility to consider moving forward. She stated she had nothing personal against Lee Whelpley she just felt three or four terms was enough; experience was important, but new individuals with new perspectives were also important.

Council Member Parks asked how long each of the Planning Commission Members had served. Mr. Curtis listed how long each Planning Commission Member had served to date. Council Member Parks stated he understood Council Member Gillespie's point; however, the

Planning Commission was under the great pressure as a committee. He noted he served on the Planning Commission for ten years. He explained it took approximately three years of serving on the Planning Commission to become proficient as a Planning Commission Member. He explained the Planning Commission had to have a deep understanding of the Comprehensive Plan and how the Comprehensive Plan applied to the City in order to defend the decisions made by the Planning Commission in court; therefore, it was extremely important to have individuals with enough experience to teach newer members of the Planning Commission. He stated he approved of having longstanding Members on the Planning Commission as these Members helped train newcomers.

Council Member Gillespie stated it was important to consider the practical experience of new Planning Commission Members as well.

Council Member Parks stated practical experience needed to include training by the Broken Arrow Legal Department and knowledge of the Broken Arrow Comprehensive Plan. He noted he understood Council Member Gillespie's point; however, Lee Whelpley was an excellent appointment and had served well on the Planning Commission.

Council Member Gillespie reiterated she had nothing personal against Mr. Whelpley; she felt in general new members were important.

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

Move to approve the reappointment of Lee Whelpley to the Broken Arrow Planning Commission for a three-year term to expire May 5, 2023

The motion carried by the following vote:

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

J. 20-457 Consideration, discussion and possible approval of providing funding from the Community Development Block Grant program to assist qualifying residents with short term financial assistance due to COVID-19

Mr. Larry Curtis reported President Trump signed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) into law, which provided assistance to the American people as the country worked diligently to combat COVID-19. He stated after the President signed the CARES Act, Secretary Ben Carson directed the U.S. Department of Housing and Urban Development (HUD) to immediately begin allocating \$3.064 billion dollars to help America's low-income families and most vulnerable citizens. He stated HUD was making a total of \$861,792 dollars in grants available to Tulsa County through its Community Development Block Grant (CDBG) program. He indicated the funding was being distributed to area communities by the Indian Nation Council of Governments (INCOG) though the County; the City of Broken Arrow's portion was estimated to be \$220,000 dollars. He reported the CDBG funds could be used to help local citizens with providing housing assistance payments for rent, mortgage, and utilities. He indicated a nonprofit agency would be selected by INCOG to distribute the funds to the citizens of Broken Arrow.

Council Member Wimpee asked how residents qualified for this program. Mr. Curtis explained there was an application process residents would be required to complete in order to obtain funds.

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

Move to approve of providing funding from the Community Development Block Grant program to assist qualifying residents with short term financial assistance due to COVID-19

The motion carried by the following vote:

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

K. 20-442 Consideration, discussion, and possible approval of a Request for Qualifications to Retain a Consultant, to help prepare the Marketing and Branding of Elm and New Orleans

Mr. Larry Curtis reported the Elm and New Orleans Advisory Committee had been meeting over the last 7 to 8 months to complete the New Orleans Square Report and present recommendations and action steps towards the revitalization of this Special Area. He noted working with the Consultant Team and Staff many important and exciting ideas and proposals had been suggested and proposed. He reported on March 17, 2020, the City Council, upon the recommendation of the Advisory Committee, named this Special Study Area, as "New Orleans Square." He stated among many proposals towards promoting this area and activating the Plan, another proposal was presented towards developing a Unified Marketing and Branding Plan for New Orleans Square; this proposal was to retain a Consultant to help prepare the Marketing Plan and keep the momentum going forward. He indicated the enclosed Request for Qualifications (RFQ) draft had been presented to and reviewed by the Advisory Committee and Staff. He stated, on behalf of the Elm and New Orleans Advisory Committee, Staff recommended approval of the proposed Request of

Qualifications towards retaining a Consultant for Marketing and Branding for New Orleans Square.

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

Move to approve of a Request for Qualifications to Retain a Consultant, to help prepare the Marketing and Branding of Elm and New Orleans

The motion carried by the following vote:

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

10. Preview Ordinances

A. 20-454 **Consideration, discussion, and possible preview of an Ordinance closing a utility easement from OT Properties, LLC, on property located at the southeast corner of Albany Street (61st Street) and 23rd Street (193rd East Avenue), Wagoner County, State of Oklahoma, (Section 06, T18N, R15E); repealing all ordinances to the contrary; and declaring an emergency**

Mr. Larry Curtis reported OT Properties, LLC, submitted an application requesting the closure of approximately 0.01-acre utility easement on property located at the southeast corner of Albany Street (61st Street) and 23rd Street (193rd East Avenue). He stated the property was currently platted as Lot 1, Block 1, S.K.K. Center, and the utility easement was recorded as part of the plat. He indicated the property was currently being redeveloped as a commercial development, which was proposed to contain a Domino's Pizza and an additional tenant space. He noted the easement proposed to be closed was located on the southern boundary of the property and was not currently in use. He noted Staff reviewed the documents and recommended acceptance of the utility easement closure; AEP/PSO, Windstream, ONG, and COX had no objections to closing the easement.

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

Move to preview the Ordinance and set it for adoption

The motion carried by the following vote:

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

11. Ordinances

There were no Ordinances.

12. Remarks and Inquiries by Governing Body Members

Mayor Thurmond stated he was glad to be back in person and not on video conference. The City Council Members agreed.

Vice Mayor Eudey thanked Mayor Thurmond and City Council for acknowledging his years of service. He stated he was honored to have been twice elected by the residents of Broken Arrow to serve on the City Council.

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

City Manager Spurgeon indicated City Council had been scheduled to discuss the Innovation District this evening. He noted recommendations had been presented to City Council regarding the Innovation District a few months prior. He noted it was discovered the Economic Development Corporation had potential funding available for job creation and as a result it was decided to bring the consultant before City Council on May 19 virtually to discuss these recommendations. He asked the City Council Members to review the prior recommendations in preparation of this discussion.

City Manager Spurgeon reported on the Consent Agenda, the City Council approved an Amendment to the consultant agreement with Olsson regarding the potential future park in the southwest part of Broken Arrow. He noted part of the Amendment included the consultant engaging with a Citizen's Advisory Committee; therefore, this would be discussed at the next meeting. He asked the City Council to begin considering recommended appointments for this Committee. He noted the General Obligation Bond included \$3 million dollars to begin construction improvements. He reminded City Council this potential park would be located on the land traded with the School District at the Events Complex. He indicated there was excellent opportunity here to develop a Master Plan and make improvements to the land.

City Manager Spurgeon indicated work continued on the Budget. He stated he was finalizing the plan now and this Friday, upon the receipt of the May tax report, he would make a determination regarding the impact on taxes. He stated there was some discussion in the State Legislature considering extension of the deadline for municipalities to submit budgets. He noted he was unsure if this would be approved; therefore, he planned to bring the budget before City Council within the next week to ten days, as well as schedule special meeting work sessions.

City Manager Spurgeon indicated he considered the City of Broken Arrow to still be in the response phase to COVID-19; however, the recovery phase was beginning. He reported part 2 of Phase I was being completed. He noted weekly updates were being made to the public and City Council. He stated today's report noted the BA Rising Task Force in the last ten days held 27 small committee meetings with well over 400 business owner/operator participants aggregately. He noted the City Council Members also heavily participated in these meetings. He thanked the City Council for its participation. He noted the BA Rising Task Force would continue for the next two months at a minimum. He stated if Phase II began as scheduled on May 15, additional businesses would begin to open, and it would be possible to begin Phase III sometime in early June. He indicated residents were still welcome to stay at home and social distancing was still recommended. He noted curbside pickup service was still being provided. He thanked City Council for approving the curbside pickup designated parking spaces in the Rose District.

City Manager Spurgeon reported he sent an email out to the City Council Members regarding City pools, splash pads, and interactive water features. He stated he needed input regarding reopening these water activities. He noted there were safety concerns to be considered. He stated he wished to try to open one pool in June for those who needed to get out of the house, get some fresh air, and be physically active and for mental health as well.

Council Member Wimpee noted the City could send notice to the school system regarding the need for lifeguards.

Council Member Gillespie asked about the lifeguard age limit. City Manager Spurgeon responded he believed the lifeguard age was at least 16 years old. He noted the pool would only be open for a short season, opening at the end of June; and safety was paramount. He indicated the pool would shut down in early August. He stated he needed to evaluate the cost to open the pool for a short season. He indicated there would be complaints if the pool opened up as the number of individuals allowed into the pool area would be limited, and there were other possible unintended consequences; however, he felt opening the pool was worth considering.

Vice Mayor Eudey noted both of his children were competitive swimmers and he wished to see a pool opened; however, it was important to consider the financial cost and safety concerns.

City Manager Spurgeon noted the City was beginning to receive guidance with regard to requesting reimbursement for City expenses. He stated he understood the State would make funds available; Oklahoma received \$1.5 billion dollars and approximately \$660 million dollars of this would go to municipalities and approximately \$250 million dollars would go to Oklahoma County and Tulsa County. He indicated Tulsa County received approximately \$113 million dollars and Tulsa County was willing to accept reimbursement requests from the City of Broken Arrow. He noted Tulsa County asked Broken Arrow to review current expenses and forecast future expenses between now and December 30, 2020. He noted he received guidance today regarding personnel time. He noted he believed the City could put a package together to account for Director's time throughout the pandemic and through the end of the year and request a reimbursement. He thanked City Council, the Directors and City Staff.

14. Executive Session

There was no Executive Session.

15. Adjournment

The meeting adjourned at approximately 8:23 p.m.

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

Move to adjourn

The motion carried by the following vote:

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


Mayor


City Clerk, Deputy

