



# City of Broken Arrow

City of Broken Arrow  
Council Chambers  
220 S 1st Street  
Broken Arrow OK  
74012

## Meeting Agenda

### City Council

**Mayor Craig Thurmond**  
**Vice Mayor Richard Carter**  
**Council Member Mike Lester**  
**Council Member Johnnie Parks**  
**Council Member Scott Eudey**

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Tuesday, July 7, 2015

6:30 PM

Council Chambers

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#### 1. Call to Order

#### 2. Invocation

#### 3. Roll Call

#### 4. Pledge of Allegiance to the Flag

#### 5. Consideration of Consent Agenda

- A. [15-103](#) Approval of Broken Arrow City Council meeting minutes of June 15, 2015
- B. [15-127](#) Acceptance of minutes of Planning Commission meeting held May 28, 2015
- C. [15-122](#) Approval of the Battle Creek Golf Course Business Insurance Policy with Philadelphia Insurance Company for Fiscal Year 2015-16
- D. [15-120](#) Approval of the Fiscal Year 2015-16 Citywide Property Insurance Policies with the Oklahoma Municipal Assurance Group (OMAG) and Chubb Insurance
- E. [15-123](#) Approval of the Fiscal Year 2015-16 Property and General Liability Coverage Policy with Hartford Underwriters Insurance Company for the City-Owned Building Occupied by Bass Pro Shops
- F. [15-109](#) Approval of and authorization to execute a Termination and Equipment Transfer Agreement between the City of Broken Arrow and Cricket Communications, Inc., on property located at 1701 West Boston Street

- G. [15-110](#) Approval of and authorization to execute a Termination and Equipment Transfer Agreement between the City of Broken Arrow and Cricket Communications, Inc., on property located at 550 North Pecan Street
- H. [15-128](#) Approval of and authorization to renew the annual Commercial Services Agreement with Cox Communications for data and telephone services for fiscal year 2015-16
- I. [15-132](#) Approval of and authorization to execute a Use Agreement with Broken Arrow Historical Society for fiscal year 2015-16
- J. [15-133](#) Approval of and authorization to execute a Use Agreement with the Broken Arrow Military History Center for fiscal year 2015-16
- K. [15-108](#) Approval of and authorization to execute Amendment Number One to the Site Use/Lease Agreement between the City of Broken Arrow and Sprint Nextel
- L. [15-100](#) Review of bids received and award the most advantageous and bid to Marmic Fire & Safety Company for city wide fire extinguisher and fire protection equipment inspection and maintenance services
- M. [15-076](#) Approval of final acceptance of the public improvements for Broken Arrow Post-Acute Health Center
- N. [15-074](#) Approval of final acceptance of the public improvements for Broken Arrow Public Schools Transportation and Maintenance Facility
- O. [15-149](#) Approval of the July 7, 2015 Claims List

**6. Consideration of Items Removed from Consent Agenda**

**7. Public Hearings, Appeals, Presentations, Recognitions, Awards - NONE**

**8. Citizens' Opportunity to Address the Council on General Topics**

**9. General Council Business**

- A. [15-093](#) Acknowledgement of bids received, as well as Stoney Creek Hospitality Corporation's award of the lowest and best bid to Tri-Star Construction, and approval of a contract for site earth work and construction of certain utilities and infrastructure for the Stoney Creek Conference Center and Hotel using Vision 2025 proceeds allocated to the City of Broken Arrow
- B. [15-040](#) Consideration, possible approval of and authorization to execute an Economic Development Agreement with RDS Properties II, LLC, for the purposes of providing economic development incentives for installation of a sprinkler system on property located at 207 South Main Street, Broken Arrow, Oklahoma
- C. [15-134](#) Approval of and acceptance of the Street Light Plan for The Shops at Aspen Creek and acceptance of operation and maintenance of the decorative lights along Aspen Creek Drive within the Shops at Aspen Creek
- D. [15-131](#) Consideration, possible approval of and authorization to execute the Fiscal Year 2015-16 Labor Agreement with the Fraternal Order of Police Lodge #170
- E. [15-139](#) Consideration, possible approval of and authorization to execute Resolution 883, a Resolution of the City Council of the City of Broken Arrow accepting and approving the re-codification of the Broken Arrow Code of Ordinances; acknowledging the compilation and publication in a printed, permanent form; notifying the public of the publication and re-codification of the Code of Ordinances and their availability in the Tulsa and Wagoner County Law Libraries and on the City's website, as well as for purchase in the office of the City Clerk; and authorizing the City Clerk to take all such actions necessary to effectuate compliance with State Statute.

- F. [15-140](#) Consideration, possible approval and authorization to execute Resolution No. 884, a Resolution authorizing the City Attorney to enter into the Final Entry of Judgment without admitting liability in the matter of AG Equipment Company v. City of Broken Arrow, Oklahoma, et al., Tulsa County District Court Case Number CJ-2015-507, authorizing foreclosure and vacation of a utility easement on property located on part of Williams Brothers Constructors Park Amended, an addition to the City of Broken Arrow, Tulsa County, Oklahoma, a resubdivision of Lot 1, Block 1, Williams Brothers Constructors Park and a subdivision of part of Lot 2 and Part of the South Half of the Northeast Quarter of Section Four, Township 18 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, generally located one-half mile south of West Albany Street, East of North Olive Avenue, Tulsa County, Broken Arrow, Oklahoma.
- G. [15-147](#) Consideration, possible approval of, and authorization to execute Resolution Number 886, a resolution approving action taken by the Broken Arrow Municipal Authority authorizing the issuance of its promissory note in principal amount not to exceed \$12,500,000 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
- H. [15-088](#) Consideration, discussion, and possible approval to purchase a ¾ ton crew cab pickup for the Fire Department from John Vance Motors pursuant to the State of Oklahoma vehicle contract
- I. [15-099](#) Consideration, discussion, and possible approval to purchase a 1-ton crew cab pickup for the Police Department from Bob Hurley Ford pursuant to the State of Oklahoma vehicle contract
- J. [15-116](#) Consideration and possible approval regarding PUD 191B, a Planned Use Development for Kenosha Villas, a request for a major amendment to PUD 191A, 8.70 acres, IL to PUD 191A/RM and FD, located one-half mile west of Aspen Avenue, one-quarter mile north of Kenosha Street, at the north end of Elder Place

## 10. Preview Ordinances

- A. [15-143](#) Consideration, discussion and possible preview on an ordinance amending Chapter 7, Article I, In General, Section 7-2 of the Broken Arrow Code, License tax for itinerant merchants specifically prohibiting merchants from conducting business within 250 feet of a special event in which the City has entered into a contract authorizing such event; repealing all ordinances to the contrary and declaring an emergency

## 11. Ordinances

- A. [15-118](#) Consideration, discussion and possible adoption of Ordinance No. 3352, an ordinance closing a utility easement on property located on part of Lot Six (6), Block Three (3), Kenwood Hills Second Addition, an addition to the City of Broken Arrow, Oklahoma, generally located at one-quarter mile north of Kenosha Street and one-third mile west of Elm Place (Kenwood Hills Second Addition); repealing all ordinances to the contrary; and declaring an emergency
- B. [15-119](#) Consideration, discussion and possible adoption of Ordinance No. 3353, an ordinance closing a utility easement on property located on part of Lot Five (5), Block Three (3), Kenwood Hills Second Addition, an addition to the City of Broken Arrow, Oklahoma, generally located at one-quarter mile north of Kenosha Street and one-third mile west of Elm Place (Kenwood Hills Second Addition); repealing all ordinances to the contrary; and declaring an emergency
- C. [15-121](#) Consideration, discussion and possible adoption of Ordinance No. 3354, an ordinance partially closing a utility easement in part of Lot 27, Block 1, Willow Springs IV, an addition to the City of Broken Arrow, Tulsa County, State of Oklahoma, generally located south of Jasper Street and west of Aspen Avenue; and repealing all ordinances to the contrary; and declaring an emergency

## 12. Remarks and Inquiries by Governing Body Members

## 13. Remarks by Acting City Manager

## 14. Executive Session

**Executive Session for the purpose of confidential communications between the City Council, the Acting City Manager, and the City Attorney, and possible action in open session regarding a pending litigation offer of settlement and taking appropriate action in open session in Green Acre Sod Farm v. City of Broken Arrow, a pending tort claim, under 25 O.S. §307(B)(4). In the opinion of the City Attorney, the Council is advised that disclosure will seriously impair the ability of the public body to process the pending litigation in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.**

## **15. Adjournment**

### **NOTICE:**

If you wish to speak at this evening's meeting, please fill out a "Request to Speak" form. The forms are available from the City Clerk's table or at the entrance door. Please turn in your form prior to the start of the meeting. Topics are limited to items on the currently posted agenda, or relevant business.

**All cell phones and pagers must be turned OFF or operated SILENTLY during meetings.**

**Exhibits, petitions, pictures, etc., shall be received and deposited in case files to be kept at the Broken Arrow City Hall. If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.**

**POSTED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m.**

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City Clerk