

**BROKEN ARROW CITY COUNCIL  
AGENDA  
COUNCIL CHAMBERS  
220 SOUTH FIRST STREET  
BROKEN ARROW, OKLAHOMA 74012  
April 21, 2015**

**6:30 PM**

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Administration of Oaths of Office**
- 6. Election of Mayor and Vice-Mayor**
- 7. Consideration of Consent Agenda**
  - A. Approval of meeting minutes of April 7, 2015
  - B. Acceptance of minutes of Planning Commission meeting held March 12, 2015
  - C. Approval of Draw Request Number 1 for Payment Under Attorneys' Title Guaranty Fund, Inc., for Professional Design Services through the Vision 2025 Sales Tax Program in association with the Stoney Creek Hotel and Conference Center
  - D. Approval of Battle Creek Golf Club Golf Rate Revisions
  - E. Approval of and authorization to execute Resolution No. 873 of the City Council of the City of Broken Arrow approving an Amended and Restated Trust Indenture for the Oklahoma Municipal Retirement Fund; providing amendments to the trust to authorize daily valuations and daily accounting for assets within the master defined contribution plans administered by the Oklahoma Municipal Retirement Fund; providing for daily valuation of participant accounts in the defined contribution plans administered by the Oklahoma Municipal Retirement Fund and providing procedures and rules for accounting of such assets; providing for effective date of Amended and Restated Trust Indenture and continuing existing trust as amended in full force and effect
  - F. Approval of and authorization to execute Resolution No. 876 relating to receipt and administration of FY2015 Tulsa Urban County Community Development Block Grant (CDBG)
  - G. Approval of and authorization to execute an agreement for professional consultant services with GS Helms & Associates, L.L.C. for the design of Nienhuis Park - convert football fields to synthetic turf
  - H. Approval of and authorization to execute an agreement for professional consultant services with PDG, Inc., dba Planning Design Group for the design of Nienhuis Park Tennis and Basketball Court Additions
  - I. Review of bids received, award of the lowest and best bid, and approval of and authorization to execute a construction contract for Stacey Lynn 6th Addition Mill and Overlay
  - J. Review of bids received and award the most advantageous bid to Smiles Public Safety for the purchase of police vehicle equipment
  - K. Approval of and authorization to execute Work Order WO-04, Contract for Cold Milling Asphalt Streets (Bid #14.115)
  - L. Approval of and authorization to execute Work Order WO-29, Contract for Portland Cement Concrete Street Repairs (Bid # 14.106)
  - M. Approval of BAZ-1933, Imajenus Incorporated, 0.77 acres, R-3 to DM, on the southwest corner of Elgin Street and Main Street

- N. Approval of PUD 235 and BAZ 1931, Rabbit Run, 27.40 acres, A-1 to RS-3, south and west of the southwest corner of Olive Avenue and New Orleans Street
- O. Approval of PT15-105, Conditional Final Plat, Rabbit Run, 115 lots, 27.44 acres, A-1 to PUD 235 and RS-3, south and west of the southwest corner of New Orleans Street and Olive Avenue
- P. Approval of PT13-104, Revised Conditional Final Plat, CSD Enterprises, 2 lots, 2.74 acres, A-CH to PUD 226 and CH, west of Aspen Avenue, one-third mile south of Omaha Street, one-quarter mile north of Broken Arrow Expressway
- Q. Acceptance of a Drainage Easement on an unplatted area south of Lot 1, Block 1 of CSD Enterprises, located one quarter mile south of Omaha Street and West of Aspen Avenue, Tulsa County, Oklahoma; from land owner THE PAUL AND Carol De MOORE FAMILY TRUST by Greg Moore, Trustee
- R. Acceptance of a Drainage Easement on an unplatted area south of Lot 2, Block 1, of CSD Enterprises, located one quarter mile south of Omaha Street and West of Aspen Avenue, Tulsa County, Oklahoma; from land owner THE PAUL AND Carol De MOORE FAMILY TRUST by Greg Moore, Trustee
- S. Acceptance of a Detention Easement on an unplatted area south of Reserve A, of CSD Enterprises, located one quarter mile south of Omaha Street and West of Aspen Avenue, Tulsa County, Oklahoma; from land owner THE PAUL AND Carol De MOORE FAMILY TRUST by Greg Moore, Trustee
- T. Acceptance of an Emergency Access Easement on an unplatted area south of Lot 2, Block 1, of CSD Enterprises, located one quarter mile south of Omaha Street and West of Aspen Avenue, Tulsa County, Oklahoma; from land owner THE PAUL AND Carol De MOORE FAMILY TRUST by Greg Moore, Trustee
- U. Acceptance of a Mutual Access Easement on an unplatted area south of Lot 1 and 2, Block 1, of CSD Enterprises, located one quarter mile south of Omaha Street and West of Aspen Avenue, Tulsa County, Oklahoma; from land owner THE PAUL AND Carol De MOORE FAMILY TRUST by Greg Moore, Trustee
- V. Acceptance of a Utility Easement on an unplatted area south of Lot 1, Block 1 of CSD Enterprises, located one quarter mile south of Omaha Street and West of Aspen Avenue, Tulsa County, Oklahoma; from land owner THE PAUL AND Carol De MOORE FAMILY TRUST by Greg Moore, Trustee
- W. Acceptance of a Utility Easement on an unplatted area south of Lot 2, Block 1, of CSD Enterprises, located one quarter mile south of Omaha Street and West of Aspen Avenue, Tulsa County, Oklahoma; from land owner THE PAUL AND Carol De MOORE FAMILY TRUST by Greg Moore, Trustee
- X. Acceptance of a Utility Easement on an unplatted area south of Reserve A, of CSD Enterprises, located one quarter mile south of Omaha Street and West of Aspen Avenue, Tulsa County, Oklahoma; from land owner THE PAUL AND Carol De MOORE FAMILY TRUST by Greg Moore, Trustee
- Y. Approval of the Claims List

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

**9. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths**

- A. Presentation and discussion on the sunset of the Tulsa County Vision 2025 sales tax and possibility for a City-wide election capturing the sales tax at the end of the Vision Tax, and update and discussion on the efforts of Tulsa County cities to pass similar sales tax increases
- B. Presentation, discussion, consideration and possible acceptance of the Final Report of the Fiscal Sustainability Committee

**10. 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)**

**11. General Council Business**

- A. Consideration, discussion, possible approval and direction to publish a Legal Notice of Annexation for the voluntary annexation of approximately 13.04 acres of land located in the South Half (S/2) of the Northwest Quarter (NW/4) of Section Eight (8), Township Seventeen (17) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma located south of the Southeast corner of the intersection of East 131st Street and South Garnett Road

- B. Consideration and possible approval of and authorization to execute Resolution No. 868 approving and adopting Amendment No. 6 to the FlightSafety and Downtown Economic Development Project Plan
- C. Consideration, discussion, possible approval of and authorization to execute Resolution No. 875 authorizing the City Attorney to agree to Entry of Judgment without admitting liability in the matter of Robin L. Walker v. City of Broken Arrow, Tulsa County District Court, Case No. CJ-2015-82 and directing the City Attorney to prepare and file the necessary documents to effectuate settlement, including a Journal incorporating the resolution of the Court's approval, pursuant to 51 O.S. § 158
- D. Consideration and possible approval of BACP-143, Callaway Office Building, 0.40 acres, R-3 to ON, northeast corner of First Street and Detroit Street
- E. Consideration and possible approval of BACP 144 and BAZ 1932, Sutka Property, 5.00 acres, Level 1 to Level 2 and AR-1 to R-2, east of First Place, one-quarter mile south of Washington Street, one-half mile west of 9th Street

## 12. Preview Ordinances

- A. Consideration, discussion and possible preview of an ordinance amending Chapter 2, Administration, Article XIII - Community Development Department, Sec. 2-200. - Established; appointments; duties, specifically changing the name of the Community Development Department to the Development Services Department; repealing all ordinances to the contrary and declaring an emergency.
- B. Consideration, discussion and possible preview of an Ordinance amending Chapter 3, Air pollutions, Article VI - Smoking in public places, Sec. 3-90 - Smoking in certain public places prohibited; repealing all ordinances to the contrary and declaring an emergency
- C. Consideration, discussion and possible preview of an Ordinance repealing Chapter 7, Business regulations and licenses, Article IV - Private detectives, patrolmen and guards, Division 1, Generally, Repealing Section 7-61 - Definitions, Repealing Section 7-62 - Exemptions from article, Repealing Section 7-63 - Identification card, Repealing Section 7-64 - Use of status or credentials to obtain admission or credit, Repealing Section 7-65 - Impersonating police, Repealing Section 7-66 - Use of siren or red or blue lights on vehicle, Repealing Section 7-68 - Procedures in case of change of place of business or change in employment, Section 7-69 - Employees not to divulge information or make false reports, Repealing Section 7-70 - posting required on premises protected by armed guard, Division 2, License, Repealing Section 7-76 - Required; exception, Repealing Section 7-77 - Application, Repealing Section 7-78 - Applicant's qualifications, Repealing Section 7-79 - Approval or disapproval of application, Repealing Section 7-80 - Fee, Repealing Section 7-81 - Issuance, Repealing Section 7-82 - Form and contents, Repealing Section 7-83 - Display, Repealing Section 7-84 - Not transferable, Repealing Section 7-85, Duplicates, Repealing Section 7-86 - Expiration and renewal, Repealing Section 7-87 - Suspension or revocation - Generally, and Repealing Section 7-88, Same - Appeal; repealing all ordinances to the contrary and declaring an emergency
- D. Consideration, discussion and possible preview of an Ordinance amending Chapter 7, Business regulations and licenses, Article VI - Massage establishments, Sec. 7-120. - Applications, specifically regarding dates and hours of training; Repealing Chapter 7, Business regulations and licenses, Article VII, Telephone Companies, Division 2, Public pay telephones on city property, Repealing Sec. 7-152. - Definitions, Repealing Sec. 7-153 - Authority to install and operate, Repealing Sec. 7-154 - City to provide space, permit signs, etc., Repealing Sec. 7-155 - Company to furnish and maintain equipment and facilities; authority of power company, Repealing Sec. 7-156. - Ownership of equipment and facilities; nonliability of city, Repealing Sec. 7-157. - City's commission on revenue collected, Repealing Sec. 7-158. - Tax exemption, Repealing Sec. 7-159. - Protection against theft, vandalism, etc., Repealing Sec. 7-160. - Discontinuance of service or removal of facilities generally; company not liable for interruption of service, Repealing Sec. 7-161. - Restoration of city property upon removal; Repealing Chapter 7, Business regulations and licenses, Article X, Motor vehicle escort services, Repealing Sec. 7-252. - Funerals - driving in, Repealing Sec. 7-253 - Parades; repealing all ordinances to the contrary and declaring an emergency
- E. Consideration, discussion and possible preview of an Ordinance repealing Chapter 9, Civil defense and disaster relief, Section 9-9. - Exemption from liability for damages resulting from civil defense activities; repealing all ordinances to the contrary and declaring an emergency

- F. Consideration, discussion and possible preview of an ordinance amending Chapter 13.2 - Human Rights, Article I, In General, Sec. 13.2-21-Definitions, specifically updating definitions as defined by State Statute; Sec. 13.2-22 - Discrimination in the sale or rental of housing, specifically amending to be in compliance with State Statute; Sec. 13.2-25 - Exemption, specifically amending to be in compliance with State Statute Sec. 13.2-28 - Investigations; subpoenas; giving of evidence, Sec. 13.2-29 - Enforcement by private persons, Section 13.2-30 - Interference, coercion or intimidation, specifically amending to clarify the punishment that may be imposed; Sec. 13.2-32 - Prevention of intimidation in fair housing cases specifically amending to clarify the punishment that may be imposed and to prohibit discrimination based upon age; Repealing Sec. 13.2-23 - Discrimination in the financing of housing, Repealing Sec. 13.2-24, Discrimination in providing brokerage services, specifically to be in compliance with State Statute; repealing all ordinances to the contrary and declaring an emergency.

**13. Ordinances**

- A. Consideration, discussion and possible adoption of Ordinance No. 3339 closing a utility easement on property located on a 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 a 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 at one-half mile south of West Albany Street, east of North Olive Avenue; repealing all ordinances to the contrary; and declaring an emergency
- B. Consideration, discussion and possible adoption of Ordinance No. 3340 amending the Broken Arrow Zoning Code by amending Section 5.4 Off-Street Parking and Loading, subsection K.3 Commercial Vehicle Parking; repealing all ordinances to the contrary and declaring an emergency

**14. Remarks and Inquiries by Governing Body Members**

**15. Remarks by City Manager**

**16. Executive Session**

- A. None

**17. 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.

\_\_\_\_\_  
City Clerk