



City of Broken Arrow
Meeting Agenda
Broken Arrow City Council

Mayor Debra Wimpee
Vice Mayor Christi Gillespie
Council Member Johnnie Parks
Council Member Lisa Ford
Council Member Justin Green

Tuesday, August 20, 2024

6:30 PM

Council Chambers
220 South 1st Street
Broken Arrow, OK

1. Call to Order

2. Invocation

3. Roll Call

4. Pledge of Allegiance to the Flag

5. Consideration of Consent Agenda

- A. 24-83** Approval of the City Council Meeting Minutes of August 5, 2024
- B. 24-1091** Acceptance Planning Commission meeting minutes of July 11, 2024
- C. 24-1076** Acceptance of Amended Drainage Advisory Committee meeting minutes of January 29, 2024
- D. 24-1077** Acceptance of Drainage Advisory Committee meeting minutes of April 29, 2024
- E. 24-1123** Approval of and authorization to execute Budget Amendment Number 1 for Fiscal Year 2025
- F. 24-1120** Approval of and authorization to execute Resolution No. 1598, a Resolution confirming the supplementation and publication of the City of Broken Arrow's Code of Ordinances
- G. 24-1034** Approval of and authorization to execute a Professional Consultant Agreement with Wallace Design Collective to design construction drawings for Ash and Commercial Rose District Parking Lot (Project 2417280)

- H. 24-1122** Approval of a License Agreement with Metro FiberNet, LLC, on property located one-half mile south of Albany Street and one-quarter mile west of Lynn Lane along the north side of Hillside Drive, Tulsa County, State of Oklahoma
- I. 24-1087** Approval of and authorization to execute the purchase of body worn cameras and related equipment pursuant to a quote received from Brite pursuant to a previously awarded multi-year contract
- J. 24-1094** Approval of and authorization to purchase one 2024 Ford F150 Crew Cab 4X4 from Vance Country Ford, pursuant to the Oklahoma Statewide Vehicle Contract 1000009315
- K. 24-1095** Approval of and authorization to purchase one 2024 Ford F150 Extended Cab 4X4 from Vance Country Ford, pursuant to the Oklahoma Statewide Vehicle Contract 1000009315
- L. 24-1099** Approval of and authorization to execute a purchase of year 3 of a 3-year agreement with an annual opt out option for Zscaler Internet Access (ZIA/ZPA) for deploying Web filtering from Presidio Network Systems, pursuant to the Oklahoma Statewide Contract
- M. 24-1100** Approval of and authorization to purchase annual maintenance for ERP Servers through Davenport Group
- N. 24-1101** Approval of and authorization to purchase annual maintenance for Compellent Storage through Park Place Technologies
- O. 24-1078** Acceptance of the Drainage Advisory Committee's recommendation to reject expenditure of 2018 GO Bond, Proposition 6 funds for the mitigation of drainage concerns at 519 S Redwood Ave (Case No. 24-009)
- P. 24-1079** Acceptance of the Drainage Advisory Committee's recommendation to approve expenditure of 2018 GO Bond, Proposition 6 funds for the design of drainage improvements from 3729 South 195th East Ave to East 37th Court South (Case No. 24011)
- Q. 24-1080** Acceptance of the Drainage Advisory Committee's recommendation to approve expenditure of 2018 GO Bond, Proposition 6 funds for construction of a culvert at South 8th and East Natchez Street (Case No. 24012)
- R. 24-1081** Acceptance of the Drainage Advisory Committee recommendation to approve expenditure of 2018 GO Bond, Proposition 6 funds to design improvements to NEEDA Pond (Case No. 24013)

- S. **24-1082** Acceptance of the Drainage Advisory Committee recommendation for Final Acceptance of the Drainage Advisory Committee project Eagle Creek, original Agenda Item Number 20-1054

- T. **24-1083** Acceptance of the Drainage Advisory Committee recommendation for Final Acceptance of the Drainage Advisory Committee project El Paso Ditch Clearing, original Agenda Item Number 23-872

- U. **24-1103** Acceptance of the Drainage Advisory Committee recommendation for Final Acceptance of the Drainage Advisory Committee project Galveston and Cedar Storm Sewer Improvements, original Agenda Item Number 22-731

- V. **24-1104** Acceptance of the Drainage Advisory Committee recommendation for Final Acceptance of the Drainage Advisory Committee project Knights of Columbus Swale Grading, original Agenda Item Number 23-1121

- W. **24-1108** Approval of and authorization to execute Change Order No. 1 with R&L Construction, LLC for the Wolf Creek Drainage Improvements (2453170)

- X. **24-1020** Approval of a request for a variance from section 5.1 of the Land Subdivision Code for LOT-001645-2024, Northside Christian Church, 5.59 acres, located approximately one-quarter mile north of Kenosha Street (71st Street), east of Elm Place (161st Avenue)

- Y. **24-1115** Approval of PT-001571-2024|PR-000510-2023, Conditional Final Plat, Antler Falls, approximately 46 acres, 149 Lots, A-1 (Agricultural) to RS-4 (Single-Family Residential)/PUD-001242-2023 (Planned Unit Development), located south and east of the southeast corner of Houston Street (81st Street) and 257th Street (Midway Road)

- Z. **24-1110** Acceptance of a Temporary Construction Easement from Thomas J Vail, the owner, on property located at 405 E Dallas Street, Broken Arrow, Oklahoma 74012, located in the Southeast Quarter of the Section 11, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma Parcel 3.A for the Dallas Stormwater Improvements Project No. S.23060

- AA. **24-1128** Acceptance of a Temporary Construction Easement from Christopher W and Abby N Roesslein, the owners, on property located at 409 E Dallas Street, Broken Arrow, Oklahoma 74012, located in the Southeast Quarter of the Section 11, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma Parcel 4.A for the Dallas Stormwater Improvements Project No. SW23060

- AB. 24-1131** Acceptance of a Temporary Construction Easement from Mathew and Courtney Miller on property located at 2917 North Hickory Court, Broken Arrow, Oklahoma 74012, located in the Southeast Quarter of the Section 34, Township 19 North, Range 14 East, Tulsa County, State of Oklahoma Parcel B3, L33, for the Stonewood Crossing Subdivision Drainage Improvements Project No. SW23010
- AC. 24-1129** Acceptance of a Utility Easement from David Pesta, the owner, on property located at 11616 East 64th Street, Broken Arrow, Oklahoma 74012, located in the Northwest Quarter of the Section 5, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma Parcel 13.0 for the Melinda Park Sanitary Sewer Improvements Project No. S.23030
- AD. 24-1130** Acceptance of a Utility Easement from Jetfighters Investments, LLC, an Oklahoma limited liability company on property located at 6324 South 114th East Avenue, Broken Arrow, Oklahoma 74012, located in the Northwest Quarter of the Section 5, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma Parcel 2.0 for the Melinda Park Sanitary Sewer Improvements Project No. S.23030
- AE. 24-1107** Ratification of the Claims List Check Register Dated August 12, 2024

6. Consideration of Items Removed from Consent Agenda

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

- A. 24-1065** Presentation of Certificate of Recognition to Broken Arrow’s Martial Arts Advantage for their participation in Team USA in the Independent Taekwondo Schools’ 2024 UTA British Championships in Bromsgrove, England
- B. 24-1045** Presentation of the results of the Roadway Improvements Micro-Survey

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)

9. General Council Business

- A. 24-1112** Consideration, discussion, and possible action regarding COMP-001531-2024 (Comprehensive Plan Change), Ven Park, A-1 (Agriculture) and R-2 (Single-Family Residential), 10.9 acres, Level 2 and 3 to Level 3, located one-quarter mile north of Kenosha Street (East 71st Street South) and one-quarter mile east of North Elm Place (North 161st East Avenue)

- B. 24-1113** Consideration, discussion, and possible action regarding a modification to Section 4.1(n) of the Land Subdivision Code for 3226 North Elm Avenue, 34.42 acres, 1 lot, A-1 (Agriculture), south and west of the southwest corner of West Omaha Street (East 51st Street) and North Elm Avenue (North 161st East Avenue)
- C. 24-1117** Consideration, discussion, and possible action regarding a waiver of Section 24.104 of the Codes of Ordinances for 3226 North Elm Avenue, 34.42 acres, 1 lot, A-1 (Agriculture), south and west of the southwest corner of West Omaha Street (East 51st Street) and North Elm Avenue (North 161st East Avenue)
- D. 24-1118** Consideration, discussion, and possible action regarding BAZ-001459-2024 (Rezoning), Broken Arrow West, approximately 109.55 acres, A-1 (Agricultural) to RS-3 (Single Family Residential) located west of 193rd E Ave/ County Line Rd (23rd Street), and one-eighth mile south of Jasper Street (131st Street)
- E. 24-1133** Consideration, discussion, and possible action regarding BAZ-001334-2024 (Rezoning) and SP-001335-2024 (Specific Use Permit), Floral Haven Expansion, 27 acres, A-1 (Agriculture) and R-1 (Single Family Residential) to A-1 (Agriculture)/SP-001335-2024, north of West Kenosha Street (East 71st Street South), and one quarter mile west of South Olive Avenue (South 129th East Avenue)

10. Preview Ordinances - NONE

11. Ordinances

- A. 24-1089** Consideration, discussion and possible adoption of Ordinance No. 3842 amending Section 4.1.B (Table 4.1-2: Dimensional and Density Standards- Residential Districts), of the City of Broken Arrow Zoning Ordinance; repealing all ordinances or parts of ordinances in conflict herewith; and declaring an emergency
- B. 24-1090** Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3842
- C. 24-1109** Consideration, discussion and possible adoption of Ordinance No. 3843, an ordinance revision updating Chapter 25, Stormwater Management of the Broken Arrow Code of Ordinances; Updating definitions to match Federal Emergency Management Agency (FEMA); Updating current floodplain maps to FEMA updates; Consolidating the design criteria to the Engineering Design Criteria Manual; repealing all ordinances to the contrary; and declaring an emergency
- D. 24-1032** Consideration, discussion, and possible approval of an emergency clause for Ordinance No. 3843

12. Remarks and Inquiries by Governing Body Members

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

14. Executive Session

Executive Session for the purpose of confidential communications between the City Council, the City Manager, the Director of Human Resources, City Attorney and any other pertinent staff members discussing, conferring on matters and possible action in open session pertaining to:

1. Litigation, including potential resolution and settlement, of a matter involving the worker's compensation claims of Bradley Davis, WCC #CM2023-03665W and #CM2023-05468R, including possible authorization to settle these claims, under 25 O.S. §307(B)(4).

2. Litigation, including potential resolution and settlement, of a matter involving the worker's compensation claims of Matthew Payne, WCC #CM2023-01642F and #CM2023-01662J, including possible authorization to settle these claims, under 25 O.S. §307(B)(4).

In the opinion of the City Attorney, the Council is advised that the Executive Session is necessary to process the litigation and disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation or proceeding 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.

21 O.S. Section 280 provides the following:

A. It is unlawful for any person, alone or in concert with others and without authorization, to willfully disturb, interfere or disrupt state business or the business of any political subdivision, which includes publicly posted meetings, or any agency operations or any employee, agent, official or representative of the state or political subdivision.

B. It is unlawful for any person who is without authority or who is causing any disturbance, interference or disruption to willfully refuse to disperse or leave any property, building or structure owned, leased or occupied by state officials or any political subdivision or its employees, agents or representatives or used in any manner to conduct state business or any political subdivision’s business or operations after proper notice by a peace officer, sergeant-at-arms, or other security personnel.

C. Any violation of the provisions of this section shall be a misdemeanor punishable by imprisonment in the county jail for a term of not more than one (1) year, by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

D. For purposes of this section, “disturb, interfere or disrupt” means any conduct that is violent, threatening, abusive, obscene, or that jeopardizes the safety of self or others.

A paper copy of this agenda is available upon request.

POSTED this ____ day of _____, _____, at _____ a.m./p.m.

City Clerk