

**BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
May 5, 2015**

6:30 PM

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
 - A. Approval of meeting minutes of April 21, 2015
 - B. Acceptance of minutes of Planning Commission meeting held March 26, 2015
 - C. Approval of and authorization to execute a City of Broken Arrow Parks and Recreation Department Use Agreement for the Country Aire swimming pool and bathhouse between the City of Broken Arrow and the R.C. Dickenson Family YMCA of Greater Tulsa (YMCA)
 - D. Approval of and authorization to execute a City of Broken Arrow Parks and Recreation Department Use Agreement for the operation of swim lessons at the Family Aquatic Center between the City of Broken Arrow and the R.C. Dickenson Family YMCA of Greater Tulsa (YMCA)
 - E. Approval of and authorization to execute a City of Broken Arrow Parks and Recreation Department Use Agreement between the City of Broken Arrow and the Northeast Oklahoma Softball Club, Incorporated (NOSCI) and Broken Arrow Adult Softball Association (BAASA) for the use of the Al Graham Adult Softball Fields (Premises)
 - F. Approval of the purchase of two (2) microwave communication systems from Dice Communications from the Western States Contracting Alliance, Contract Number 02702
 - G. Approval of and authorization to purchase an audio reinforcement system for the City Council Chambers from Ford Audio-Video pursuant to the Oklahoma State Purchasing Contract
 - H. Approval of Final Acceptance for the Public Improvements for Highlands IV located at 1300 South Highlands Boulevard
 - I. Approval of BAZ 1934, New Heart Fellowship Church (south parcel), and abrogation of part of SP-172A, 1.05 acres, A-1 to R-2, east of 23rd Street, one-half mile south of New Orleans Street
 - J. Approval of BAZ 1935, New Heart Fellowship Church (north parcel), and abrogation of part of SP-172A, 0.61 acres, A-1 to R-2, east of 23rd Street, one-third mile south of New Orleans Street
 - K. Approval of the Claims List
- 6. Consideration of Items Removed from Consent Agenda**
- 7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths**
 - A. Presentation by the Broken Arrow Youth City Council, and approval of, recognition, and presentation of certificates to the Youth City Council Members

- B. Presentation of an annual report by representatives of Cox Communications, a cable service provider with a Non-Exclusive Franchise with the City of Broken Arrow, regarding the services provided by Cox and the operation of the cable system

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. Presentation and discussion of the Broken Arrow Flight Safety and Downtown Tax Increment Financing (TIF) District, including reports on sales tax receipts, ad valorem revenues, financing, and project related expenditures
- B. Consideration, discussion, possible approval and direction to publish an Amended 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
- C. Consideration, discussion, and possible approval of a Wedgewood Pool Park Agreement for an area described as: Reserve B, Wedgewood III, a Subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, Plat No. 3588, filed with the office of the County Clerk, Tulsa County on August 30, 1975 (Wedgewood Pool)
- D. Consideration, discussion, and possible acceptance of a General Warranty Deed for Wedgewood Pool Park described as: Reserve B, Wedgewood III, a Subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, Plat No. 3588, filed with the office of the County Clerk, Tulsa County on August 30, 1975 (Wedgewood Pool)
- E. Consideration, discussion, and possible action on an Emergency Medical Services subscription program for the City of Broken Arrow, to include direction for Staff to prepare all necessary ordinances and other documents to effectuate implementation of the program
- F. Consideration and possible approval to reschedule the June 2015 Broken Arrow City Council meetings from Tuesday, June 2 and 16, 2015, to Monday, June 1 and 15, 2015, to support citizen attendance at the "Tuesdays in the Park" music event sponsored by the City Parks and Recreation Department
- G. Consideration, possible approval of and authorization to execute a City of Broken Arrow Naming Agreement for Central Park Garden in Honor of Jim and Peggy Nelson
- H. Consideration, discussion, and possible approval of the appointment by the Mayor of one member of the City Council to serve on the Downtown Advisory Board in Position One

10. Preview Ordinances

- A. Consideration, discussion and possible preview of an Ordinance of the City Council of the City of Broken Arrow increasing the Franchise Fee paid by Oklahoma Natural Gas Company (ONG) from 3% to 4% of the gross receipts received from the distribution of natural gas pursuant to Ordinance No. 2383, approved by voters at an election held on October 9, 2001, and granting a 25-year non-exclusive franchise to ONG; repealing all ordinances to the contrary; and declaring an emergency

11. Ordinances

- A. Consideration, discussion and possible adoption of Ordinance No. 3296, an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving PUD 222 zoning classification be placed upon tracts located one-quarter mile west of 23rd Street (County Line Road/193rd East avenue), south of Kenosha Street, and north of the Broken Arrow Expressway, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- B. Consideration, discussion and possible adoption of Ordinance No. 3342, 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
- C. Consideration, discussion and possible adoption of Ordinance No. 3343, 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
- D. Consideration, discussion and possible adoption of Ordinance No. 3344, 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
- E. Consideration, discussion and possible adoption of Ordinance No. 3345, an Ordinance repealing 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
- F. Consideration, discussion and possible adoption of Ordinance No. 3346, 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
- G. Consideration, discussion and possible adoption of Ordinance No. 3347, 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

12. Remarks and Inquiries by Governing Body Members

13. Remarks by Acting City Manager

14. Executive Session

- A. Executive Session for the purpose of confidential communications between the City Council, the Acting City Manager, and the City Attorney for the purpose of discussing Kevin Schneider v. City of Broken Arrow, a Workers' Compensation Case, to include offers of settlement and taking appropriate action in open session, including authority to settle this matter, 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.

City Clerk