

**SPECIAL MEETING MINUTES
BROKEN ARROW CITY COUNCIL
February 11, 2008**

The Broken Arrow City Council met in special session in the North Intermediate High School Auditorium on Monday, February 11, 2008, at 6:30 p.m.

1. Call to Order

Section Minutes: Mayor McCaleb called the meeting to order at 6:30 p.m.

2. Invocation

Section Minutes: No invocation was delivered.

3. Roll Call

Present:	Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb
Absent:	None

4. Pledge of Allegiance to the Flag

Section Minutes: Mayor McCaleb led the Pledge of Allegiance.

5. Consideration of Consent Agenda

There were no items to consider and no action was taken.

6. Consideration of Items Removed from Consent Agenda

There were no items to consider and no action was taken.

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

There were no items to consider and no action was taken.

8. Citizens' Opportunity to Address the Council (approximately 7:00 p.m.)

Section Minutes: Mayor McCaleb said there were no requests to address Council. He noted that citizens were present to speak regarding Item 9B.

9. General Council Business

- A. Consideration, possible approval of and authorization to execute Resolution No. 508 - a resolution extending the provisions of Resolution 496 which declared an emergency due to a significant winter storm and extensive power outages, ratification of activation of the City's Emergency Operations Center and emergency protocols, authorization to purchase materials and supplies and to enter into equipment leases and other necessary agreements, authorization to waive the provisions of Section 2-25 and 2-26 of the Broken Arrow Code and to enter into contracts for labor and services, authorization for debris removal, and directing the City Manager to carry out all applicable provisions

Item Minutes: Jim Twombly, City Manager, presented this Item. Mr. Twombly provided a brief background stating that on December 12, 2007, the Broken Arrow City Council approved Resolution No. 496 which declared an emergency due to a significant winter storm and extensive power outages. He said that Resolution No. 496 also ratified activation of the City's Emergency Operations Center and Emergency Protocols and authorized the purchase of materials and supplies, as well as entry into equipment leases and other necessary agreements. Mr. Twombly explained that due to the nature of the emergency, the extreme damage, the massive amount of debris, and the need to provide expeditious disposal of said debris, Resolution No. 508 requests an extension of the provisions in Resolution No. 496 until March 3, 2008.

Motion:	Move to approve and authorization to execute Resolution No. 508
Motion by:	Mike Lester
Second by:	Richard Carter
Ayes:	Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb
Nays:	None

- B. Consideration and possible approval of a construction plan and funding plan for the Steeplechase Farms - Amended Glen Eagles drainage improvement project

Item Minutes: Dave Wooden, Assistant City Manager, presented Item 9B. Mr. Wooden provided a brief background about previous public meetings and surveys of homeowners in the

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Broken Arrow City Council Minutes Page 1 of 8
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Present: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Absent: None

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5. Consideration of Consent Agenda

There were no items to consider and no action was taken.

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8. Citizens' Opportunity to Address the Council approximately 7:00 p.m.)

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9. General Council Business

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authorization to waive the provisions of Section 2-25 and 2-26 of the Broken Arrow Code and to enter into contracts for labor and services, authorization for debris removal, and directing the City Manager to carry out all applicable provisions

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Motion: Move to approve and authorization to execute Resolution No. 508

Motion by: Mike Lester

Second by: Richard Carter

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

B. Consideration and possible approval of a construction plan and funding plan for the Steeplechase Farms Amended Glen Eagles drainage improvement project

Item Minutes: Dave Wooden, Assistant City Manager, presented Item 9B. Mr. Wooden provided a brief background about previous public meetings and surveys of homeowners in the

affected areas. He also presented several options for drainage improvements in Steeplechase Farms – Amended Glen Eagles, including construction of drainage improvements and funding plans for the work.

Following some discussion, Mayor McCaleb noted that 26 citizens requested that their opposition to this Item be entered into the record (attached). He then called upon citizens who wished to address Council. Eleven citizens who were residents of Steeplechase Farms - Amended Glen Eagles expressed their concerns and asked questions about the options presented. The speakers were as follows:

- Dennis Dorsey 3926 South 196th East Avenue
- June Thomas 20192 East 37th Place South
- Larry Perkins 3918 South 199th East Avenue
- Randy Miller 3834 South 201st East Avenue
- Jennifer Fountain 3834 South 201st East Avenue
- Whitney Kidd 3817 South 199th East Avenue
- Lila Folk 19714 East 39th Street
- Corey Wondra 3901 South 199th East Avenue
- Denise Wondra 3901 South 199th East Avenue
- Jonathan Hamblin 4010 South 201st East Avenue
- Paul Stone 3901 South 201st E. Avenue

Council reviewed the options presented and indicated that Project Option B and Funding Option 1 seemed the best. Vice Mayor Lester asked for a show of hands from the homeowners present in the audience to show which option they preferred. The audience showed support almost unanimously for Project Option B and Funding Option 1 as presented in Mr. Wooden's report and described in summary below:

Project Option B - Upgrade of Steeplechase Farms storm sewer system on the eastern side of the subdivision near 199th East Avenue and East 39th Street, and on the western side of the subdivision on 196th East Avenue. The storm sewer under East 39th Street would remain as-is. The storm sewer system beneath East 39th Street would exceed capacity and excess stormwater flows would flow westward down East 39th Street during a 100-year storm event. Approximate total cost of \$460,000.

This Option was recommended for the following reasons:

- It passes the 100-year storm without endangering any homes;
- During construction it has the least impact on property owners, streets and water service;
- It is the lowest cost option;
- It is the quickest construction time option and provides fastest protection; and,
- It is the option recommended by the most property owners.

Funding Option 1 - The properties affected would be assessed a proportional amount of the cost as authorized by state law. This amount to either be paid as a lump sum or charged to the tax rolls over a ten (10) year period.

This option is recommended for the following reasons:

- The City was not involved in the original construction of Steeplechase Farms and Amended Glen Eagles and is not required to pay for correcting the stormwater system;
- This option allows the property owner to pay for the project over a period of 10 years;
- Glen Eagles III and IV met the City of Broken Arrow Stormwater Code requirements, have no homes flooded by the 100-year frequency storm and are therefore excluded from the assessment area;
- Turnberry met the Wagoner County Stormwater requirements, have no homes flooded by the 100-year frequency storm and are therefore excluded from the assessment area;
- The improvements benefit only the properties involved;
- Should a FEMA grant be received this funding option can be used for the 25-percent matching funds; and,
- If legal action provides funds for the construction it can be used to pay off the assessment.

Mr. Wooden explained that the assessment district would be established under State law and would require several meetings with the property owners, Broken Arrow City Council and Staff.

He added that, based on the recommended solution, the storm sewer system improvements would cost each property owner approximately \$1,500 to \$2,000 which could be paid out over the next ten (10) years as part of the annual property tax assessment. He said the actual amount would depend on the construction costs incurred implementing the recommended option, and that Staff recommended that the City Council authorize preparation of a plan of action based on the proposed project and to start the assessment district process.

affected areas. He also presented several options for drainage improvements in Steeplechase Farms Amended Glen Eagles, including construction of drainage improvements and funding plans for the work.

Following some discussion, Mayor McCaleb noted that 26 citizens requested that their opposition to this Item be entered into the record attached). He then called upon citizens who wished to address Council. Eleven citizens who were residents of Steeplechase Farms Amended Glen Eagles expressed their concerns and asked questions about the options presented. The speakers were as follows:

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Jennifer Fountain 3834 South 201

st
East Avenue

Whitney Kidd 3817 South 199

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East Avenue

Lila Folk 19714 East 39

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Street

Corey Wondra 3901 South 199

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Denise Wondra 3901 South 199

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Street would remain as-is.

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It passes the 100-year storm without endangering any homes;

During construction it has the least impact on property owners, streets and water service;

It is the lowest cost option;

It is the quickest construction time option and provides fastest protection; and,

It is the option recommended by the most property owners.

Funding Option 1 The properties affected would be assessed a proportional amount of the cost as authorized by state law. This amount to either be paid as a lump sum or charged to the tax rolls over a ten 10) year period.

This option is recommended for the following reasons:

The City was not involved in the original construction of Steeplechase Farms and Amended Glen Eagles and is not required to pay for correcting the stormwater system;

This option allows the property owner to pay for the project over a period of 10 years;

Glen Eagles III and IV met the City of Broken Arrow Stormwater Code requirements,

have no homes flooded by the 100-year frequency storm and are therefore excluded from the assessment area;

Turnberry met the Wagoner County Stormwater requirements, have no homes flooded by the 100-year frequency storm and are therefore excluded from the assessment area;

The improvements benefit only the properties involved;

Should a FEMA grant be received this funding option can be used for the 25-percent matching funds; and,

If legal action provides funds for the construction it can be used to pay off the assessment.

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He added that, based on the recommended solution, the storm sewer system improvements would cost each property owner approximately \$1,500 to \$2,000 which could be paid out over the next ten (10) years as part of the annual property tax assessment. He said the actual amount would depend on the construction costs incurred implementing the recommended option, and that Staff recommended that the City Council authorize preparation of a plan of action based on the proposed project and to start the assessment district process.

Motion:	Move to approve Project Option B and Funding Option 1 for the Steeplechase Farms - Amended Glen Eagles drainage improvement project
Motion by:	Mike Lester
Second by:	Philip Tucker
Ayes:	Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb
Nays:	None

10. City Manager's Report

There were no items to consider and no action was taken.

11. Preview Ordinances

There were no items to consider and no action was taken.

12. Ordinances

There were no items to consider and no action was taken.

13. Remarks and Inquiries by Governing Body Members

There were no remarks or inquiries by governing body members.

Mayor McCaleb asked for a Motion to take a brief recess at the noted time of 7:35 P.M.

Motion:	Move to take a short recess prior to entering into Executive Session.
Motion by:	Mike Lester
Second by:	Philip Tucker
Ayes:	Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb
Nays:	None

Mayor McCaleb reconvened the regular session at the noted time of 7:58P.M.

Motion:	Move to enter into Executive Session.
Motion by:	Craig Thurmond
Second by:	Mike Lester
Ayes:	Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb
Nays:	None

- 14. Executive Session** for the purpose of confidential communications between the City Council, the City Manager, the Assistant City Manager and the City Attorney for the purpose of conferring on matters concerning an economic development contract with St. John Hospital under 25 O.S. § 307(C)(10). 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

Section Minutes: The Mayor reconvened the regular session at the noted time of 8:17 PM.

Motion:	Move to authorize the City Manager to proceed with negotiations for an Economic Development Contract.
Motion by:	Mike Lester
Second by:	Philip Tucker
Ayes:	Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb
Nays:	None

15. Adjournment

Motion:	Move to adjourn.
Motion by:	Craig Thurmond
Second by:	Mike Lester
Ayes:	Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb
Nays:	None

Section Minutes: The meeting was adjourned at the noted time of 8:18 PM.

Mayor

City Clerk

Motion: Move to approve Project Option B and Funding Option 1 for the Steeplechase Farms Amended Glen Eagles drainage improvement project

Motion by: Mike Lester

Second by: Philip Tucker

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

10. City Manager's Report

There were no items to consider and no action was taken.

11. Preview Ordinances

There were no items to consider and no action was taken.

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Motion: Move to take a short recess prior to entering into Executive Session.

Motion by: Mike Lester

Second by: Philip Tucker

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

Mayor McCaleb reconvened the regular session at the noted time of 7:58P.M.

Motion: Move to enter into Executive Session.

Motion by: Craig Thurmond

Second by: Mike Lester

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

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Motion by: Mike Lester

Second by: Philip Tucker

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

15. Adjournment

Motion: Move to adjourn.

Motion by: Craig Thurmond

Second by: Mike Lester

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

Section Minutes: The meeting was adjourned at the noted time of 8:18 PM.

Mayor

City Clerk

02/11/08

I wish to **SPEAK TO COUNCIL** regarding Item 9B

	NAME	ADDRESS	ZIP	PHONE
1	JENNIS DORSEY	3924 S. 196 th E. Ave	74019	355-7107
2	JUNE THOMAS	20192 E 37 th P/S	74014	806-8208
3	LARRY PERKINS	3918 S 199 th E Ave	74104	355-2163
4	Randy Miller	3834 S. 201st E Ave.		
5	Jennifer Fountain	3834 S. 201st E. Ave.		
6	Whitney Kidd	3817 S. 199 th E. Ave.		
7	Lila Folk ^(?)	19714 E. 39 th St.		
8	Denise + Corey Wondra	3901 S. 199 th E. Ave.		
9	Jonathan Hamblin	4010 S. 201st		
10	Paul Stone	3901 S. 201st E. Ave.		
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				

Do NOT wish to speak

Record my **OPPOSITION** of Item 9B

02/11/08

NAME	ADDRESS	ZIP	PHONE
Miss Smiley	19625 E 38th Place	74014	355-9763
Wendy	3935 S 201 st E Ave	74014	286-2407
Cecily Hastings	19602 E 39th Pl S.	74014	355-5882
Quinn Hastings	19602 E 39th Pl S.	74014	355-5882
Joe Reed	3809 S 199 E Ave	74014	355-0853
James McCarty	19901 E 35th Place	74014	286-3341
Paula R. Cavanagh	19901 E 38th Pl	74014	286-3341
Johnny Collins	19702 E 35th Pl	74014	381-4562
Steven Harne	3934 S 177 th East Ave	74014	355-1154
Georgia Taylor	20181 E 37 th St S.	74014	355-9093
Wendy Handwick	3700 S 201 E Ave	74014	286-7810
Chris McKelley	4006 S 201 E AVE	74014	232-5790
Kevin McKim	4021 So 201 E Ave	74014	355-6815

