

AMENDED AGENDA
BROKEN ARROW CITY COUNCIL
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
October 18, 2011

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 the meeting minutes of October 4, 2011
 - B. Acceptance of the minutes of the Planning Commission meeting held September 22, 2011
 - C. Ratify a Demand for Jury Trial Filed in the Case of City of Broken Arrow, a Municipal Corporation v. Clifford A. West and Sandra Kay West, et al., Case No. CJ-2011-379, Wagoner County, Oklahoma
 - D. Approval of a Workers' Compensation Court Order for Greg Fugate, a former Fire Department employee
 - E. Approval of and authorization to execute an Architect-Engineer agreement with Guy Engineering Services, Inc., for Tucson Widening from Aspen to Elm
 - F. Approval of and authorization to execute an Architect-Engineer contract with Tetra Tech, Inc., for design of Oneta Road Widening from Houston to Washington
 - G. Approval of and authorization to execute the Interlocal Loaned Officer and Facilities Agreement between the City of Broken Arrow and City of Bixby for Cooperative Law Enforcement Efforts
 - H. Approval of and authorization to execute a Use Agreement between the City of Broken Arrow and Peak 21 Lacrosse for use of the Indian Springs Sports Complex to hold a Lacrosse Tournament on June 7-14, 2012
 - I. Approval of Resolution No. 719, a Resolution confirming the supplementation and publication of the City of Broken Arrow's Code of Ordinances
 - J. Approval of a Special Events Permit made by the Broken Arrow Civitans to hold their Annual Christmas Parade on Saturday, December 3, 2011 at 10 a.m.
 - K. Approval of a Special Events Permit for the closing of University Parkway for the Race for Life 5K and 10K Run on Saturday, December 3, 2011 from 8:30 a.m. until 10:00 a.m.

- L. Approve bids received, award of the lowest responsible bid to Morton Excavating, LLC, and authorization to execute a construction contract for Events Park Phase 1 (North of New Orleans/101st Street, East of the Creek Turnpike)
- M. Approval of the Claims List
- 6. Consideration of Items Removed from Consent Agenda**
- 7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths**
 - A. Public hearing on complaints or objections that may be made concerning the proposed improvements to the utility system that would extend the water and sewer lines through the proposed subdivision of Highlands IV and to the adjoining properties owned by the City of Broken Arrow and the Broken Arrow Public Schools and by providing a loop for a water system to a new water line along Oneta Road and 91st Street
- 8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services**
- 9. General Council Business**
 - A. Consideration and possible approval of Resolution No. 720 of the Broken Arrow City Council declaring that no protests were filed regarding the Improvements to the Utility System by extending the water and sewer lines through the proposed subdivision of Highlands IV and to the adjoining properties owned by the City of Broken Arrow and the Broken Arrow Public Schools and by providing a loop for a water system to a new water line along Oneta Road and 91st Street, and expressing the determination of the City Council to proceed with the improvements and requiring the City Engineer to submit and file detailed plans, profiles, specification, and estimates of probable cost
 - B. Consideration and Possible Approval of a Workers' Compensation Joint Petition Settlement Agreement for Kyle Burton, a former Fire Department Employee
 - C. Consideration and possible approval of nomination of Kay Long to fill a vacancy on the Downtown Advisory Board created by the resignation of JoEllen Clow
 - D. Consideration and possible approval of nomination of Rob Whitlock to serve on the Broken Arrow Economic Development Corporation Board of Directors
- 10. City Manager's Report**
 - A. None
- 11. Preview Ordinances**
 - A. None
- 12. Ordinances**
 - A. Adopt Ordinance No. 3185, an ordinance amending the Broken Arrow Code, Chapter 12, Garbage and other refuse, Article II, Collection by City, Sections 12-23, Location of containers, and 12-24, Frequency of collections, and specifically providing for placement of

refuse and removal of refuse containers at certain times and also allowing for the approval of operational rules and regulations by the City Manager; and repealing all ordinance to the contrary

- B. Adopt Ordinance No. 3186, an ordinance amending the Broken Arrow Buildings and Building Regulations Code, Chapter 6 by adopting the Oklahoma Uniform Building Code Commission (OUBCC) 2009 International Residential Code, including registration for general contractors and correcting the water meter tap fees, repealing all ordinances to the contrary; and declaring an emergency.

13. Remarks and Inquiries by Governing Body Members

- 14. 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 negotiations for and direction for possible resolution of a collective bargaining agreement for the period of July 1, 2011 - June 30, 2013, with the IAFF employee group and negotiations and direction for possible resolution of a grievance filed by the IAFF for callback of its members as determined by an arbitrator, both under 25 O.S. §307(B)(2) and 25 O.S. § 307(B)(4); and discussion of a settlement offer made in the case of Kyle Burton v. City of Broken Arrow, Workers' Compensation Court Case Number 2010-00774A and possible action in open session regarding potential resolution 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 process and claim 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 to matters relevant to the City Council's business

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

Exhibits, petitions, pictures, etc., presented to the authority 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 _____, 2011, at _____ a.m./p.m.

City Clerk