

**BROKEN ARROW CITY COUNCIL  
AGENDA  
COUNCIL CHAMBERS  
220 SOUTH FIRST STREET  
BROKEN ARROW, OKLAHOMA 74012  
December 6, 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 November 15, 2011
  - B. Approval of Workers' Compensation Court Order for Leslie Morris, Street/Storm Water Department Employee
  - C. Approval to reject all bids on asbestos removal and demolition of 2301 W Commercial and asbestos removal of 17820 E 101st St nuisance cases and specifically finding that the interest of the citizens of Broken Arrow will be served by rejection
  - D. Approval of bids received, award of the most advantageous bid, and authorization to execute a construction contract for Central Park Shelter Foundation and Structure, a Community Development Block Grant project
  - E. Approval of bids received, award of the most advantageous bid, and approval to execute a construction contract for Events Park Electrical Service
  - F. Approval of bids received, award of the most advantageous bid, and authorization to execute a construction contract for the Oneta Utility Assessment District
  - G. Approval of bids received and award most advantageous bid to Physio Control for 2 defibrillator/monitors
  - H. Notifications of Contracts, Change Orders, Quantity Changes and Work Orders with a value of less than \$25,000 on Engineering and Construction Contracts since the last City Council Meeting
  - I. Acceptance of a General Warranty Deed and a Utility Easement located in a tract of land belonging to Russell Lee Harper, approximately one-eighth mile south of Washington Street (91st Street) on the west side of Evans Road (225th East Avenue), Broken Arrow (NE/4 Section 20, T18N, R15E )
  - J. Approval of Final Acceptance for the Public Improvement for First Baptist Church, 100 W. Albany St.
  - K. Approval of the Claims List
- 6. Consideration of Items Removed from Consent Agenda**

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

A. None

**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. 722, A Resolution establishing support of the Marketplace Equity Act (MEA) and Marketplace Fairness Act (MFA) which empowers states to collect sales taxes owed at the point of purchase from online retailers

B. Consideration and possible approval of a new Department Director Compensation Plan

**10. City Manager's Report**

A. None

**11. Preview Ordinances**

A. An Ordinance amending Chapter 2, Article IX, Section 2-165 of the Broken Arrow Code pertaining to Department Director evaluation and compensation; repealing all ordinances to the contrary; and declaring an emergency

B. An ordinance amending Chapter 16, Article I, Section 16-10, Furnishing of tobacco products to minors; repealing all ordinances to the contrary; and declaring an emergency

**12. Ordinances**

A. Adopt Ordinance No. 3178 - An ordinance amending the Broken Arrow Nuisance Code, Chapter 15 by correcting misspellings and including better nuisance definitions; and adopting the 2009 International Property Maintenance Code as the Property Maintenance and Existing Structures Code; repealing all ordinances to the contrary, and declaring an emergency

B. Adopt Ordinance No. 3186 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1864 and granting RS-3 zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

C. Adopt Ordinance No. 3187 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1865 and granting CG zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

D. Adopt Ordinance No. 3188 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1858 and granting R-2 zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

E. Adopt Ordinance No. 3189 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1857 and granting R-2 zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- F. Adopt Ordinance No. 3190 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1818 and granting IL zoning and PUD 193 classification to be placed upon the tract and repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- G. Adopt Ordinance No. 3191 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1859 and granting RS-1 zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- H. Adopt Ordinance No. 3192 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving PUD 141 classification to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- I. Adopt Ordinance No. 3193 - An ordinance closing a partial utility easement, located in Lot One (1), Block One (1) Sterling Heights 1st Addition, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, according to the recorded plat thereof, providing for reservation of rights within the closed easement, and declaring an emergency

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

**14. Executive Session** for the purpose of confidential communications (and possible authorization to proceed with negotiations for the possible purchase and appraisal of real property in open session) between the City Council, the City Manager, and the City Attorney on the potential purchase of real property located at College and Main Street in the City of Broken Arrow, Tulsa County, Oklahoma, under 25 O.S. §307(B)(3); and discussing the terms of the employment and evaluation of David L. Wooden and taking appropriate action as necessary in open session, under 25 O.S. § 307 (B)(1); 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