

**BROKEN ARROW CITY COUNCIL  
MINUTES  
COUNCIL CHAMBERS  
220 SOUTH FIRST STREET  
BROKEN ARROW, OKLAHOMA 74012  
March 1, 2011  
6:30 PM**

**1. Call to Order**

**Section Minutes:** Mayor Lester called the meeting to order at approximately 6:30 p.m.

**2. Invocation**

**Section Minutes:** Pastor Joe Cook delivered the invocation.

**3. Roll Call**

<b>Present:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
<b>Absent:</b>	None

**4. Pledge of Allegiance to the Flag**

**Section Minutes:** Councilor Carter led the Pledge of Allegiance to the Flag.

**5. Consideration of Consent Agenda**

**Section Minutes:** Mayor Lester asked if there were any items to be removed from the Consent Agenda. There being none, he asked for a motion.

<b>Motion:</b>	<b>Move to approve the Consent Agenda as presented</b>
<b>Motion by:</b>	Jill Norman
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

- A. Approval of regular meeting minutes of February 15, 2011
- B. Acceptance of the minutes of the Planning Commission meeting held February 10, 2011
- C. Ratify a Proclamation commending Cameron Glass, a Broken Arrow business, for its achievement in receiving special certification from the Oklahoma Department of Labor and the Occupational Safety & Health Administration of the United States Department of Labor
- D. Ratification of Bids Received and Award of the Most Advantageous for the Purchase of Twenty (20) Police Pursuit Vehicles
- E. Approval and Authorization to Purchase Equipment for Storage Area Network Expansion pursuant to the State Contract
- F. Approval of and Authorization to Execute Major Quantity Change Order #MQ01 to Contract ST0910 with Becco Contractors, Inc. for Silvertree Milling and Overlay
- G. Approval of and Authorization to Execute Major Quantity Change Order #MQ01 to Contract ST1106 with A & A Asphalt, Inc. for Vandever West Mill and Overlay

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3. Roll Call

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N

Present: Jill

Absent: None

None

4. Pledge of Allegiance to the Flag

Section Minutes: Councilor Carter led the Pledge of Allegiance to the Flag.

5. Consideration of Consent Agenda

Section Minutes: Mayor Lester asked if there were any items to be removed from the Consent Agenda. There being none, he asked for a motion.

Motion: Move to approve the Consent Agenda as presented

Motion b Jill Norman

Second b Richard Carter

Ayes: Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

A. Approval of regular meeting minutes of February 15, 2011

B. Acceptance of the minutes of the Planning Commission meeting held February 10, 2011

C. Ratify a Proclamation commending Cameron Glass, a Broken Arrow business, for its achievement in receiving special certification from the Oklahoma Department of Labor and the Occupational Safety & Health Administration of the United States Department of Labor

D. Ratification of Bids Received and Award of the Most Advantageous for the Purchase of Twenty 20) Police Pursuit Vehicles

E. Approval and Authorization to Purchase Equipment for Storage Area Network Expansion pursuant to the State Contract

F. Approval of and Authorization to Execute Major Quantity Change Order #MQO1 to Contract 5T0910 with Becco Contractors, Inc. for Silvertree Milling and Overlay

G. Approval of and Authorization to Execute Major Quantity Change Order #MQO1 to Contract ST1106 with A & A Asphalt, Inc. for Vandever West Mill and Overlay



- H. Approval of Conditional Final Plat, Hillside Park, PT10-107, 40.22 acres, 3 lots, CG, IL, and PUD 205A, southwest corner of 9th Street (Lynn Lane/177th East Avenue) and Kenosha Street (71st Street)
- I. Acceptance of a General Warranty Deed and a Utility Easement from Jack L. Coppedge and located approximately one-quarter mile north of Omaha Street (E 51st Street) and on the east side of 209th East Avenue on Lot 3, Block 3 of the Sun City III subdivision (S29 T19N R15E)
- J. Approval of the Claims List

**6. Consideration of Items Removed from Consent Agenda**

**Section Minutes:** There were no items removed from the Consent Agenda.

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

- A. Presentation of the Oklahoma Municipal League Honor Roll of Service awards to employees who have achieved 25 or more years of service in municipal government

**Item Minutes:** City Manager Dave Wooden introduced the employees recognized for 25 or more years of service in municipal government, and Mayor Mike Lester presented awards to those who were present. Recognized were Ricky Barnett, James Derriel Bynum, Patricia Mitchell, Roy Moody, James Owens, Stephen Steward, and Paul Thompson.

No action was required or taken.

- B. Presentation by Downtown Advisory Board Vice-Chairman Joe Cook for the Establishment of an Arts and Entertainment District in Downtown Broken Arrow

**Item Minutes:** Mr. Joe Cook stated that the Downtown Advisory Board has addressed a variety of projects since it was established some years ago as a result of Vision 2025, the most recent one being the establishment of a Tax Increment Financing (TIF) district in the downtown area. He said Council has directed the Downtown Advisory Board to oversee the use and allocation of certain portions of the Tax Increment District funds. Mr. Cook explained that in September community-wide strategic planning meetings began to be held, with one area of focus being the revitalization of the downtown area; as a result of these meetings, the Downtown Advisory Board is recommending to the Council the formalization and creation of a defined area established for the purpose of arts and entertainment. Mr. Cook then detailed the Downtown Advisory Board's recommendations with a slide presentation describing restaurants and pubs, entertainment, business use, a visitors' center, park areas, sidewalks, parking, streets, lighting, landscaping, and technology. Mr. Cook then offered to answer questions.

Mayor Lester commended the Downtown Advisory Board for their work and said he is looking forward to the revitalization of the downtown area. Councilor Carter agreed and described a recent evening in downtown Tulsa, walking from restaurants to the Performing Arts Center, as an example of what he'd like to see in Broken Arrow. Councilor Thurmond described this as a good start and said follow-through is necessary to keep the ball rolling; he also expressed appreciation to the Downtown Advisory board for their work, as did Councilor Carter. Councilor McCaleb asked if themes had been discussed and Mr. Cook answered that the Downtown Advisory Board is currently considering names and themes, soliciting input from the public, and should have a recommendation in about 30 days. Councilor Thurmond expressed his support for branding the area with a name, as some nearby communities have done.

No action was required or taken.

**8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services**

**Section Minutes:** No one signed up to address the Council on general topics related to city business or services.

H. Approval of Conditional Final Plat, Hillside Park, PT10-107, 40.22 acres, 3 lots, CG, IL, and PUD 205A, southwest corner of 9th Street Lynn Lane/ 177th East Avenue) and Kenosha Street 71st Street)

1. Acceptance of a General Warranty Deed and a Utility Easement from Jack L. Coppedge and located approximately one-quarter mile north of Omaha Street E 51st Street) and on the east side of 209th East Avenue on Lot 3, Block 3 of the Sun City III subdivision S29 T19N R15E)

J. Approval of the Claims List

6. Consideration of Items Removed from Consent Agenda

Section Minutes: There were no items removed from the Consent Agenda.

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

A. Presentation of the Oklahoma Municipal League Honor Roll of Service awards to employees who have achieved 25 or more years of service in municipal government

Item Minutes: City Manager Dave Wooden introduced the employees recognized for 25 or more years of service in municipal government, and Mayor Mike Lester presented awards to those who were present.

Recognized were Ricky Barnett, James Derriel Bynum, Patricia Mitchell, Roy Moody, James Owens, Stephen Steward, and Paul Thompson.

No action was required or taken.

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Mayor Lester commended the Downtown Advisory Board for their work and said he is looking forward to the revitalization of the downtown area. Councilor Carter agreed and described a recent evening in downtown Tulsa, walking from restaurants to the Performing Arts Center, as an example of what he'd like to see in Broken Arrow. Councilor Thurmond described this as a good start and said follow-through is necessary to keep the ball rolling; he also expressed appreciation to the Downtown Advisory board for their work, as did Councilor Carter. Councilor McCaleb asked if themes had been discussed and Mr. Cook answered that the Downtown Advisory Board is currently considering names and themes, soliciting input from the public, and should have a recommendation in about 30 days. Councilor Thurmond expressed his support for branding the area with a name, as some nearby communities have done.

No action was required or taken.

8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services

Section Minutes: No one signed up to address the Council on general topics related to city business or services.

Broken Arrow City Council Page 2 of 5 March 1, 2011

**9. General Council Business**

- A. Consideration of and Possible Approval of the Proposed Arts and Entertainment District along Main Street and Broadway in Downtown Broken Arrow

**Item Minutes:** City Manager Dave Wooden referred to a slide showing a map of the proposed Arts and Entertainment District and asked the Council to approve this proposed district.

<b>Motion:</b>	<b>Move to approve the Arts and Entertainment District in downtown Broken Arrow</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

- B. Consideration and possible approval to extend El Paso Street closure east of Olive Avenue for construction of Olive Avenue Widening Between Washington and Kenosha

**Item Minutes:** City Manager Dave Wooden reminded the Council that on January 25<sup>th</sup> they approved the closing of El Paso Street for a six-week period in order to build a new bridge, but since then two blizzards and the need for a period of drying out have delayed the project. He asked the Council to extend the closure for three weeks to April 4, 2011

<b>Motion:</b>	<b>Move to approve the extension of the closure of El Paso Street east of Olive Avenue for a period of up to three additional weeks for replacement of a drainage structure</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

**10. City Manager’s Report**

**Section Minutes:** There was no City Manager’s report.

**11. Preview Ordinances**

- A. An Ordinance closing a 20' Waterline Easement and a 17.5' Utility Easement in the Southwest Corner of Lot one (1), Block one (1) Indian Springs Baptist Church Addition, an addition to the City of Broken Arrow, Tulsa County, State of Oklahoma; and repealing all ordinances to the contrary. (Indian Springs Baptist Church ST10-116)

**Item Minutes:** City Manager Dave Wooden said the Indian Springs Baptist Church is preparing to expand and needs to close these easements in order to build their new structures. He said the Church has provided the City with additional easements in a new location, and plans to apply to the District Court for foreclosure of these two easements. Mr. Wooden said Staff recommends acceptance of these closures.

<b>Motion:</b>	<b>Move to set the preview ordinance on the next Council agenda for possible adoption</b>
<b>Motion by:</b>	Jill Norman
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

## 9. General Council Business

### A. Consideration of and Possible Approval of the Proposed Arts and Entertainment District along Main Street and Broadway in Downtown Broken Arrow

Item Minutes: City Manager Dave Wooden referred to a slide showing a map of the proposed Arts and Entertainment District and asked the Council to approve this proposed district.

Motion: Move to approve the Arts and Entertainment District in downtown Broken Arrow

Motion b Craig Thurmond

Second b Richard Carter

Ayes: Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

### B. Consideration and possible approval to extend El Paso Street closure east of Olive Avenue for construction of Olive Avenue Widening Between Washington and Kenosha

Item Minutes: City Manager Dave Wooden reminded the Council that on January 25<sup>th</sup> they approved the closing of El Paso Street for a six-week period in order to build a new bridge, but since then two blizzards and the need for a period of drying out have delayed the project. He asked the Council to extend the closure for three weeks to April 4, 2011

Motion: Move to approve the extension of the closure of El Paso Street east of Olive Avenue for a period of up to three additional weeks for replacement of a drainage structure

Motion b Richard Carter

Second b Jill Norman

Ayes: Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

## 10. City Manager's Report

Section Minutes: There was no City Manager's report.

## 11. Preview Ordinances

A. An Ordinance closing a 20' Waterline Easement and a 17.5' Utility Easement in the Southwest Corner of Lot one 1), Block one 1) Indian Springs Baptist Church Addition, an addition to the City of Broken Arrow, Tulsa County, State of Oklahoma; and repealing all ordinances to the contrary. Indian Springs Baptist Church ST 10-116)

Item Minutes: City Manager Dave Wooden said the Indian Springs Baptist Church is preparing to expand and needs to close these easements in order to build their new structures. He said the Church has provided the City with additional easements in a new location, and plans to apply to the District Court for foreclosure of these two easements. Mr. Wooden said Staff recommends acceptance of these closures.

Motion: Move to set the preview ordinance on the next Council agenda for possible adoption

Motion b Jill Norman

Second b Richard Carter

Ayes: Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

Broken Arrow City Council Page 3 of 5 March 1, 2011

**12. Ordinances**

**Section Minutes:** The Ordinances 11A and 11B were taken together.

- A. Adopt Ordinance No. 3151 - an Ordinance closing a temporary access easement, detention easement and drainage easement in a part of the Northeast Quarter (NE/4) of Section Twenty (20), Township Eighteen (18) North, Range Fifteen (15) East of the Indian Base and Meridian, Wagoner County, State of Oklahoma (Coach Port Addition - West of 225th East Avenue and North of New Orleans Street); and repealing all ordinances to the contrary
- B. Adopt Ordinance No. 3152 - an Ordinance closing two (2) rights-of-way in part of the Northeast Quarter (NE/4) of the Southeast Quarter (SE/4) of Section Two (2), Township Eighteen North (T18N), Range Fourteen East (R14E) Tulsa County, State of Oklahoma; and A tract of land situated in the Northeast Quarter of the Southeast Quarter (NE/4 SE/4) of Section 2, Township 18 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma; and repealing all ordinances to the contrary (Project: PT10-108 Hillside Plaza) (located north of Kenosha Street and west of 9th Street)

**Item Minutes:** City Manager Dave Wooden said both these ordinances were previewed at the last meeting and there have been no changes. He said the first is for an easement closure at Coach Port, and the second closes two rights-of-way at the old Public Service Company of Oklahoma property. Mr. Wooden said Staff recommends approval of these two ordinances.

<b>Motion:</b>	<b>Move to adopt Ordinance 3151 and Ordinance 3152</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

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

**Section Minutes:** There were no remarks or inquiries by governing body members.

At approximately 6:52 p.m., Mayor Lester asked for a motion to recess into the Broken Arrow Municipal Authority meeting and the Broken Arrow Economic Development Authority meeting.

<b>Motion:</b>	<b>Move to recess into the Broken Arrow Municipal Authority followed by the Broken Arrow Economic Development Authority meeting.</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

Mayor Lester reconvened the regular Council meeting at approximately 6:54 p.m.

Mayor Lester then asked for a motion to take a short break in order to clear the room prior to entering into Executive Session.

<b>Motion:</b>	<b>Move to take a recess prior to entering into Executive Session</b>
<b>Motion by:</b>	Jill Norman
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

Mayor Lester reconvened the regular session of the City Council meeting at approximately 6:57 p.m.



## 12. Ordinances

Section Minutes: The Ordinances 11 A and 11 B were taken together.

A. Adopt Ordinance No. 3151 an Ordinance closing a temporary access easement, detention easement and drainage easement in a part of the Northeast Quarter NE/4) of Section Twenty 20), Township Eighteen 18) North, Range Fifteen 15) East of the Indian Base and Meridian, Wagoner County, State of Oklahoma Coach Port Addition West of 225th East Avenue and North of New Orleans Street); and repealing all ordinances to the contrary

B. Adopt Ordinance No. 3152 an Ordinance closing two 2) rights-of-way in part of the Northeast Quarter NE/4) of the Southeast Quarter SE/4) of Section Two 2), Township Eighteen North T18N), Range Fourteen East R 14E) Tulsa County, State of Oklahoma; and A tract of land situated in the Northeast Quarter of the Southeast Quarter NE/4 SE/4) of Section 2, Township 18 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma; and repealing all ordinances to the contrary Project: PT10-108 Hillside Plaza) located north of Kenosha Street and west of 9th Street)

Item Minutes: City Manager Dave Wooden said both these ordinances were previewed at the last meeting and there have been no changes. He said the first is for an easement closure at Coach Port, and the second closes two rights-of-way at the old Public Service Company of Oklahoma property. Mr. Wooden said Staff recommends approval of these two ordinances.

Motion: Move to adopt Ordinance 3151 and Ordinance 3152

Motion b Richard Carter

Second b Jill Norman

Ayes: Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

## 13. Remarks and Inquiries by Governing Body Members

Section Minutes: There were no remarks or inquiries by governing body members.

At approximately 6:52 p.m., Mayor Lester asked for a motion to recess into the Broken Arrow Municipal Authority meeting and the Broken Arrow Economic Development Authority meeting.

Motion: Move to recess into the Broken Arrow Municipal Authority followed by the Broken Arrow Economic Development Authority meeting.

Motion b Craig Thurmond

Second b Jill Norman

Ayes: Jill Norman, Wade McCaleb. Richard Carter, Craig Thurmond, Mike Lester

Nays: None

Mayor Lester reconvened the regular Council meeting at approximately 6:54 p.m.

Mayor Lester then asked for a motion to take a short break in order to clear the room prior to entering into Executive Session.

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

Motion b Jill Norman

Second b Richard Carter

Ayes: Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

Mayor Lester reconvened the regular session of the City Council meeting at approximately 6:57 p.m.

Broken Arrow City Council Page 4 of 5 March 1, 2011



<b>Motion:</b>	Move to enter into Executive Session
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

14. **Executive Session** for the purpose of confidential communications between the City Council, the City Manager, and the City Attorney for the purpose of discussing candidates for the employment, hiring, and appointment of a Fire Chief for the City of Broken Arrow 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.

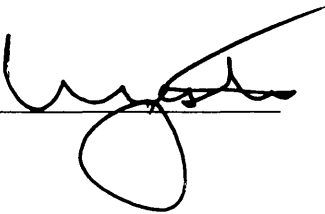
Mayor Lester reconvened the regular session of the City Council meeting at approximately 7:12 p.m., and the room was opened for those in attendance.

There were no motions and no action was required or taken.

15. **Adjournment**

**Section Minutes:** The meeting adjourned at approximately 7:12 p.m.

<b>Motion:</b>	<b>Move to adjourn</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Wade McCaleb
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

  
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 Mayor

Attest:



Motion: Move to enter into Executive Session

Motion b Richard Carter

Second b Jill Norman

Ayes: Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

14. Executive Session for the purpose of confidential communications between the City Council, the City Manager, and the City Attorney for the purpose of discussing candidates for the employment, hiring, and appointment of a Fire Chief for the City of Broken Arrow 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.

Mayor Lester reconvened the regular session of the City Council meeting at approximately 7:12 p.m., and the room was opened for those in attendance.

There were no motions and no action was required or taken.

15. Adjournment

Section Minutes: The meeting adjourned at approximately 7:12 p.m.

Motion: Move to adjourn

Motion b Craig Thurmond

Second b Wade McCaleb

Ayes: Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

Attest:

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Broken Arrow City Council Page 5 of 5 March 1, 2011