

**BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
November 16, 2010**

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 regular meeting minutes of November 2, 2010
 - B. Acceptance of the minutes of the Planning Commission meeting held October 28, 2010
 - C. Approval of and authorization to execute Budget Amendment Number 7 for Fiscal Year 2010-2011
 - D. Approval of Resolution 680, A Resolution ratifying the Final Journal Entry of Judgment in the Matter of Warwick v The City of Broken Arrow, Tulsa County District Court Case Number CV-2010-1044, authorizing the Foreclosure of an Easement Located at 3914 South Tamarack Place, Broken Arrow, Oklahoma
 - E. Approval of an Attorney Engagement Agreement between the City of Broken Arrow and Latham, Wagner, Steele and Lehman, P.C.
 - F. Approval of the installation of "No Parking" signs on the north side of 41st Place between 202nd East Avenue and 203rd East Avenue (Adjacent to the Turnberry Subdivision Detention Facility)
 - G. Approval of Request for a Special Events Permit by the Broken Arrow Civitans to hold their annual Christmas Parade on Saturday, December 4, 2010 at 10:00 a.m.
 - H. Approval of and authorization to execute Change Order No. 2 on ODOT ARRA Stimulus Projects 264, 265, and 268 - Resurfacing Elm Place from New Orleans to Florence, Houston and Elm Intersection, and Houston and 9th Intersection
 - I. Approval of bids received, award of the lowest responsible bid, and authorization to execute a construction contract for Aspen Avenue Widening, New Orleans to Florence
 - J. Approval of bids received, award of the lowest responsible bid, and authorization to execute a construction contract for Broken Arrow Heights Addition Milling and Overlay CDBG Project
 - K. Approval of bids received, award of the lowest responsible bid, and authorization to execute a construction contract for Waco Street Milling and Overlay
 - L. Approval of BAZ 1858, 1.47 acres, AR-1 to R-2, north of Dearborn Street (41st Street), one-quarter mile east of 23rd Street (County Line Road/193rd East Avenue)

- M. Approval of PT10-105, conditional final plat, Omaha Commercial Center (previously Drug Warehouse), 1.63 acres, 1 lot, A-CH (CH-BAZ 1845), southwest corner of Omaha Street (51st Street) and Aspen Avenue (145th East Avenue)
- N. Approval of PUD 94-O, Major Amendment, Battle Creek, 69.32 acres, north of the Broken Arrow Expressway, east of Aspen Avenue (145th East Avenue) and south of Granger Street
- O. Approval of PUD 161F, Boomerang Car Wash, 0.97 acres, east of the northeast corner of Kenosha Street (71st Street) and Olive Avenue (129th East Avenue)
- P. Approval of SP 89A, Life Creation Church , 3.48 acres, 1 lot, R-1/SP-89, one quarter mile south of Houston Street (81st Street), west of Olive Avenue (129th East Avenue)
- Q. Acceptance of a Temporary Construction Easement located approximately 1522 feet South and 696 feet West of the intersection of East Washington St (E 91st St) and East 1st Place from Michael Ward (S23 T18N R14E) (Project: Arrow Acres Sanitary Sewer Improvements) (S.0905)
- R. Acceptance of a Sewer Line Easement and a Temporary Construction Easement located approximately 24.75 feet North and 2940 feet West of the intersection of East Albany St (E 61st St) and North 37th St (209th E Ave) from The Spoon Family LLC (S31 T19N R15E) (Project: Adams Creek NW Sewer Improvements Phase 1 #S.0405)
- S. Approval of the Claims List

6. Consideration of Items Removed from Consent Agenda

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

- A. General Fund Financial Presentation for the three months ending September 30, 2010
- B. Approval of and authorization to execute a Proclamation declaring November 18, 2010 as "Childers Middle School Day" in the City of Broken Arrow
- C. **Approval of and authorization to execute a Proclamation declaring December 6, 2010 as "Optimist Youth Appreciation Day"**

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 exemption waiver pursuant to section 16-12, c-4 of the Broken Arrow Code to allow the Flight Safety contractor to work beyond 10:00 pm
- B. Consideration and possible approval of the waiver of building permit fees to the St. Jude Dream Home, Wellstone Subdivision, Forest Ridge Master Planned Community, Broken Arrow, Oklahoma
- C. Consideration and possible approval of reappointment of TJ Voskuhl to the Convention and Visitors Bureau
- D. Consideration of and possible approval of the appointment of Ernest Redwine to the Downtown Advisory Board

- E. Consideration of and possible approval of the appointment of Patsy Terry to the Downtown Advisory Board

10. City Manager’s Report

- A. None

11. Preview Ordinances

- A. None

12. Ordinances

- A. Adopt Ordinance No. 3140, an ordinance amending Chapter 23, Article II, Section 23-26, which pertains to Grounds for Towing of Vehicles from Roadway; 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 City Manager, and the City Attorney for the purpose of discussing litigation and offers of settlement and taking appropriate action in open session in City of Broken Arrow, Oklahoma, a Municipal Corporation v. Kenco Properties, L.L.C.; Lamar Central Outdoor, L.L.C., et al., Tulsa County District Court Case Number CJ-2009-990; under 25 O.S. §307(B)(4), and for purposes of conducting the evaluation and discussing the employment of the City Manager and taking appropriate action in open session under 25 O.S. § 307(B)(1); and discussing the potential purchase and appraisal of real property for the purposes of right-of-way between Hillside Drive and 9th Street and taking appropriate action in open session under 25 O.S. § 307(B)(3). 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 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 _____, 2010, at _____ a.m./p.m.

City Clerk