

**BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
December 7, 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 regular meeting minutes of November 16, 2010
 - B. Ratify appointment of Deidre Ellis to serve as Honorary Mayor and Ernest Redwine to serve as Honorary Vice Mayor during Fiscal Year 2010 - 2011
 - C. Ratification of the Workers' Compensation Joint Petition Settlement Agreement with Stephen T. Smith, a Police Department Employee
 - D. Approval of and authorization to execute an Architect-Engineer contract for design of Covington Creek Regional Detention facility
 - E. Approval of and authorization to execute a Consulting Service Contract for City of Broken Arrow Natural Hazard Mitigation Plan Preparation and Approval of Budget Amendment Number 8 for Fiscal Year 2010-2011
 - F. Approval of consultant selection and approval of and authorization to execute a resolution recommending that ODOT contract with Guy Engineering Services, Inc. for 2011-2013 bridge inspections
 - G. Acceptance of a Temporary Construction Easement located approximately 1300 feet North and 600 feet West of the intersection of Kenosha St (E 71st St) and 9th St (S. 177th E Ave) from the John Charles Hardison Revocable Trust (S2 T18N R14E) (Project: Sanitary Sewer Lift Station Improvements Contract A)(S.1002)
 - H. Acceptance of a Utility Easement located approximately one quarter mile south of Houston Street (81st Street) and west of 9th Street (Lynn Lane Road) from Mance W. Cannon and Fannie J. Cannon, Trustees of The Cannon Family Revocable Trust Dated February 15, 2006 (S14 T18N R14)
 - I. Acceptance of Utility Easement and Deed of Dedication located approximately one quarter mile east of 23rd Street (193rd Avenue) and north of Dearborn Avenue (41st Street) from Tom and Kathryn Michelson (S19 T19N R15E) (Project: BAZ 1858)
 - J. Acceptance of a Sewer Line Easement and a Temporary Construction Easement located approximately 34.75 feet South and 590 feet East of the intersection of East Albany St (E 61st St) and North 197th St from Sharon Harriger (S6 T18N R15E)(Project: Adams Creek NW Sewer Impr Phase 1 #S.0405)

- K. Acceptance of a Sewer Line Easement and a Temporary Construction Easement located approximately 805 feet South and 440 feet East of the intersection of East Albany St (E 61 St) and North 197th St from John and Cynda Spoon, Co-Trustees (S6 T18N R15E)(Project: Adams Creek NW Sewer Impr Phase 1 #S.0405)
 - L. Approval of Final Acceptance of Public Improvements at Cinemark
 - M. Approval of Final Acceptance of Public Improvements at Tuscan Plaza
 - N. Approval of the Claims List
- 6. Consideration of Items Removed from Consent Agenda**
- 7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths**
- A. Approval of and authorization to execute a Proclamation commending Lucienda Denson for community service
- 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 the Proposed Festival/Events Park Master Plan
 - B. Approval of an Employment Agreement with David L. Wooden for City Management Services, effective as of December 3, 2010, and authorize execution
- 10. City Manager's Report**
- A. None
- 11. Preview Ordinances**
- A. An ordinance amending Chapter 2, Article I, Section 2-12, which pertains to Maintenance bonds required on public property improvements; repealing all ordinances to the contrary; and declaring an emergency.
 - B. An ordinance amending Chapter 4, Article I, Section 4-13 of the Broken Arrow Code pertaining to Transporting Alcoholic Beverages in Opened Containers; Possession in Public Places; repealing all ordinances to the contrary; and declaring an emergency.
 - C. An ordinance amending Chapter 4, Article I, Section 4-86 of the Broken Arrow Code pertaining to Transporting Low-Point Beer in Opened Containers; repealing all ordinances to the contrary; and declaring an emergency.
- 12. Ordinances**
- A. Adoption of Ordinance No. 3132 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1841, and granting IL zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
 - B. Adoption of Ordinance No. 3133 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving PUD 191 and BAZ 1808, and granting

RM zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- C. Adoption of Ordinance No. 3134 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1797, and granting CN zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- D. Adoption of Ordinance No. 3135 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1649, and granting RD zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- E. Adoption of Ordinance No. 3136 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving PUD 203 zoning classifications to be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, 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 v. David A. Center, et al., Tulsa County District Court Case Number CJ-2007-07888; and City of Broken Arrow, Oklahoma v. Kenco Properties, L.L.C., et al., Tulsa County District Court Case Number CJ-2009-990, 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 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