

**BROKEN ARROW CITY COUNCIL  
AGENDA  
COUNCIL CHAMBERS  
220 SOUTH FIRST STREET  
BROKEN ARROW, OKLAHOMA 74012  
December 21, 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 December 7, 2010
  - B. Acceptance of the minutes of the Planning Commission meeting held November 18, 2010
  - C. Ratification of Proclamations presented as part of the annual Angel Bear program presentations to businesses and individuals in recognition of their community service
  - D. Approve and authorize execution of the contract with JPMorgan Chase for Purchase Cards
  - E. Consideration of and possible approval of Resolution No. 682, a Resolution authorizing the City Attorney to sign, execute and file the Agreed Journal Entry of Judgment in The City of Broken Arrow, a Municipal Corporation v. Quapaw Investments, L.L.C., an Oklahoma Limited Liability Company, et al, Tulsa County District Court Case Number CV-2010-00810 for the Condemnation of Property located in the Southwest Quarter of the Southwest Quarter of Section Twenty-Seven (27), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma (Aspen Avenue Widening - North Florence to New Orleans)
  - F. Consideration and possible approval of Resolution No. 683, a Resolution authorizing the City Attorney to agree to Entry of Judgment in the case of the City of Broken Arrow v. David A. Center and Lorri S. Center, et al., Tulsa County District Court Case Number CJ-2007-7888; and directing the City Attorney to prepare and file the necessary documents to effectuate settlement, including a Journal Entry, for the Court's approval
  - G. Approval of BAZ 1861, 0.43 acres, CN to CH, southwest corner of Main Street and Kenosha Street (71st Street)
  - H. Approval of BAZ 1862, 0.78 acres, A-RE to RS-2, one-quarter mile west of 9th Street (Lynn Lane/177th East Avenue), north of Florence Street (111th Street)
  - I. Approval of PUD 137A, CreekrIDGE Park, 0.84 acres, one-third mile north of Houston Street (81st Street), east of Aspen Avenue (145th Street)
  - J. Approval of PUD 207 and BAZ 1860, Hillside Plaza, 19.58 acres (PUD 207), 0.18 acres (BAZ 1860), north of the Broken Arrow Expressway (Highway 51), west of 9th Street (Lynn Lane/177th East Avenue)
  - K. Approval of PUD 208, McDonald's, 1.34 acres, east of the northeast corner of Albany Street (61st Street) and 9th Street (Lynn Lane/177th East Avenue)
  - L. Approval of SP 218A, Tulsa Technology Broken Arrow Campus Entrance Signs, 52.94 acres, 1 lot, A-1, northwest corner of Olive Avenue (129th East Avenue) and Florence Street (111th Street)

- M. Approval of SP 245, Arrowhead Elementary School, 7.6 acres, 1 lot, R-1 and R-2, one-third mile west of Elm Place (161st East Avenue), one-third mile north of Kenosha Street (71st Street), at 915 West Norman Street
- N. Approval of SP 246, Leisure Park Elementary School, 8.6 acres, 1 lot, R-2 , located one-half mile west of Elm Place (161st East Avenue), one-half mile north of Florence Street (111th Street), at 4300 South Juniper Avenue
- O. Approval of SP 247, Lynn Wood Elementary School, 8.4 acres, 1 lot, R-3, one-half mile east of Aspen Avenue (145th East Avenue), one-half mile north of Washington Street (91st Street), at 1600 West Quincy Avenue
- P. Approval of SP 248, Oak Crest Elementary School, 6.7 acres, 1 lot, R-2, one-third mile north of Washington Street (91st Street), one-half mile west of 9th Street (Lynn Lane/177th East Avenue), at 405 East Richmond Street
- Q. Approval of SP 249, Rhoades Elementary School, 6.1 acres, 1 lot, R-3, about one-eighth mile south of Kenosha Street (71st Street), one-third mile west of 9th Street (177th East Avenue, Lynn Lane), at 320 East Midway Street
- R. Approval of SP 250, Earnest Childers Middle School and Spring Creek Elementary School, 40 acres (gross), 2 lots, A-1, South of Tucson Street (121st Street), one-third mile west of 9th Street (Lynn Lane/177th East Avenue) at 6801 South Third Street (Spring Creek Elementary School) and 301 East Tucson Street (Earnest Childers Middle School)
- S. Approval of SP 251, Vandever Elementary School, 15.4 acres, 1 lot, R-1, one-half mile west of Elm Place (161st East Avenue), one-half mile south of Washington Street (91st Street), at 2200 South Lions Street
- T. Approval of SP 252, Liberty Elementary School, 10.2 acres, 1 lot, R-1, west of 37th Street (209th East Avenue), approximately one-quarter mile south of Dearborn Street (41st Street) at 4300 South 209th East Avenue
- U. Acceptance of a Deed of Dedication located on the northeast corner of Elm Place (161st E. Avenue) and Albany Street (61st Street) from Paul Abbott, Business Manager for First Baptist Church of Broken Arrow (S35 T19N R14E)
- V. Acceptance of a Deed of Dedication located approximately one half mile south of Omaha Street (51st Street) and east of Aspen Avenue (145th Avenue) from The Greens at Battle Creek, An Arkansas Limited Partnership (S34 T19N R14E)(PUD-94Q)
- W. Acceptance of a Drainage Easement and Deed of Dedication located approximately one half mile south of Omaha Street (51st Street) and east of Aspen Avenue (145th Avenue) from REIP, L.L.C., an Oklahoma Limited Liability Company (S34 T19N R14E)
- X. Acceptance of a General Warranty Deed, a Utility Easement and a Temporary Construction Easement located approximately 3,000 feet South and 65 feet West of the intersection of East Omaha St (E 51st St) and 37th St (209th E Ave) from New Bedford Park, LLC (S31 T19N R15E) (Project: Adams Creek NW Sewer Improvements Phase 1 #S.0405)
- Y. Acceptance of a Utility Easement located approximately one quarter mile south of Houston Street (81st Street) and west of Olive Ave (129th Ave) from Gary Blevins, pastor of New Creation Church Inc. (S17 T18N R14E) (BAL 990)
- Z. Acceptance of a Utility Easement and Deed of Dedication located approximately one quarter mile south of Florence (111th Street) and west of 209th Ave from Cecil E and Carolyn M Kusler (S31 T18N R15E)
- AA. Acceptance of an Utility Easement and a Temporary Construction Easement located approximately 1,430 feet South and 2,600 feet West of the intersection of East Omaha St (E 51st St) and North 37th St (209th E Ave)

from New Bedford Lakes, LLC (S31 T19N R15E) (Project: Adams Creek NW Sewer Improvements Phase 1 #S.0405)

BB. Approval of Final Acceptance for the Public Improvement at CVS Pharmacy #4896

CC. 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. Discussion of proposed projects for a General Obligation Bond Issue vote in CY 2011 and the potential date of the election

B. Consideration of and possible approval of the establishment of an Economic Development Coordinator Position in the City Manager's Office

C. Consideration and possible approval of 9th Street (Lynn Lane) closure south of Washington Street (91st St. S.) for construction of a drainage structure

D. Approval of nomination of reappointments of two representatives and one alternate representative to the Indian Nations Council of Governments (INCOG) Board of Directors and one representative and one alternate to the General Assembly, each for a two-year term beginning in January 2011

**10. City Manager's Report**

A. None

**11. Preview Ordinances**

A. An Ordinance amending the Building Code, Chapter 6, Article IV. Electrical Code, Article V. Plumbing Code, Article VII. Mechanical Code and Article XI. Building Permit Fees and Charges; repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency.

**12. Ordinances**

A. Adoption of Ordinance No. 3141 - An ordinance amending Chapter 4, Article V, Section 4-86 of the Broken Arrow Code pertaining to Transporting Low-Point Beer in Opened Containers; possession in public places; repealing all ordinances to the contrary; and declaring an emergency.

B. Adoption of Ordinance No. 3142 - An ordinance amending Chapter 4, Article II, 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. Adoption of Ordinance No. 3143 - 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

**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 negotiations concerning the IAFF employee group under 25 O.S. § 307(B)(2) and taking appropriate action in open session; and pending litigation and offers of settlement and taking appropriate action in open session in 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