

**BROKEN ARROW CITY COUNCIL MINUTES  
COUNCIL CHAMBERS  
220 SOUTH FIRST STREET  
BROKEN ARROW, OKLAHOMA 74012  
June 21, 2010**

**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:** No one was present to deliver the Invocation.

**3. Roll Call**

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

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

**Section Minutes:** Vice Mayor led the Pledge of Allegiance to the Flag.

**5. Consideration of Consent Agenda**

**Section Minutes:** Mayor Lester asked if Councilors had any items to remove from the Consent Agenda. There being none, Mayor Lester asked for a motion.

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

- A. Approval of special meeting minutes of May 26, 2010
- B. Approval of regular meeting minutes of June 7, 2010
- C. Acceptance of minutes of the Planning Commission meeting held May 27, 2010
- D. Ratify Resolution No. 648 of the Broken Arrow City Council, adopting the Fiscal Year 2010-2011 Annual Budget for the City in accordance with the provisions of the Municipal Budget Act
- E. Approval of and authorization to execute a contract with American Municipal Services for Collections of Delinquent Utility Accounts
- F. Consideration of and possible approval of BAZ 1845, 2.6 acres, ACH to CH, southwest corner of Omaha Street (51st Street) and Aspen Avenue (145th East Avenue)
- G. Consideration of and possible approval of SP 190B, Water of Life Church of Oklahoma, Inc., 6.17 acres, 1 lot, CG, southeast corner of Kenosha Street (71st Street) and Aspen Avenue (145th East Avenue) in the Mayfair Shopping Center
- H. Acceptance of Public Improvement AG Equipment (Skid Assembly Shop)
- I. Approval of the Claims List

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

**Section Minutes:** There were no items removed from the Consent Agenda. No action was taken or required.

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

- A. Conduct a public hearing for the Edward Byrne Memorial Justice Assistance Formula Grant and consideration and possible approval to apply to accept the Grant

**Item Minutes:** Mayor Lester said the Police Department is eligible for an Edward Byrne Memorial Justice Assistance Formula Grant in the amount of \$24,359. He stated that, as part of the application process, the application must be made public and the public must have an opportunity to comment on the proposal. He explained that a Public Hearing at the City Council will satisfy this requirement and that state law requires the hearing be called three times.

Mayor Lester called the public hearing open three separate times. He asked if there was anyone who wished to speak regarding the Edward Byrne Memorial Justice Assistance Formula Grant application process.

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Roll Call

Present: Jill Norman, Wade McCaleb, Richard CCraig Thurmond and Mike Lester

Richard Carter, etc., Thurmond and Mike Lester

Absent: None

4. Pledge of Allegiance to the Flag

Section Minutes: Vice Mayor led the Pledge of Allegiance to the Flag.

5. Consideration of Consent Agenda

Section Minutes: Mayor Lester asked if Councilors had any items to remove from the Consent Agenda. There being none, Mayor Lester asked for a motion.

Motion: Move to approve the Consent Agenda as presented

Motion b Richard Carter

Second b Jill Norman

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

Nays: None

A. Approval of special meeting minutes of May 26, 2010

B. Approval of regular meeting minutes of June 7, 2010

C. Acceptance of minutes of the Planning Commission meeting held May 27, 2010

D. Ratify Resolution No. 648 of the Broken Arrow City Council, adopting the Fiscal Year 2010-2011 Annual Budget for the City in accordance with the provisions of the Municipal Budget Act

E. Approval of and authorization to execute a contract with American Municipal Services for Collections of Delinquent Utility Accounts

F. Consideration of and possible approval of BAZ 1845, 2.6 acres, ACH to CH, southwest corner of Omaha Street 51st Street) and Aspen Avenue 145th East Avenue)

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H. Acceptance of Public Improvement AG Equipment Skid Assembly Shop)

1. Approval of the Claims List

6. Consideration of Items Removed from Consent Agenda

Section Minutes: There were no items removed from the Consent Agenda. No action was taken or required.

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

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explained that a Public Hearing at the City Council will satisfy this requirement and that state law requires the hearing be called three times.

Mayor Lester called the public hearing open three separate times. He asked if there was anyone who wished to speak regarding the Edward Byrne Memorial Justice Assistance Formula Grant application process.

Broken Arrow City Council Agenda Page 1 of 7 June 21, 2010

Mayor Lester declared the public hearing open two more times. There being no requests to speak, Mayor Lester declared the public hearing closed.

<b>Motion:</b>	<b>Move to approve applying to accept the Grant</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- B. Approval of and authorization to execute a Proclamation proclaiming June 19, 2010 as National Freedom 2 Flip Day in Broken Arrow to commemorate this national event in conjunction with USA Gymnastics Member Clubs

**Item Minutes:** Mayor Lester said that Councilor Norman attended the National Freedom 2 Flip event. Ms. Harriet Harris was present to accept the Proclamation. Mayor Lester read the Proclamation aloud and commended Brittany Harris on her accomplishments and wished her the best at Oregon State University.

<b>Motion:</b>	<b>Move to approve and authorize execution of a Proclamation proclaiming June 19, 2010 as National Freedom 2 Flip Day in Broken Arrow</b>
<b>Motion by:</b>	Wade McCaleb
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

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

**Section Minutes:** There were no requests to address Council under Item 8.

**9. General Council Business**

- A. Approval of and ratify a Broken Arrow Municipal Authority contract with Regional Metropolitan Utility Authority (RMUA) for New Annual Operations and Maintenance and authorize execution

**Item Minutes:** Mayor Lester asked that this item be tabled until after the Broken Arrow Municipal Authority meeting.

<b>Motion:</b>	<b>Move to table until after the Broken Arrow Municipal Authority meeting</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Wade McCaleb
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

At 7:32 p.m., after the Broken Arrow Municipal Authority meeting and reconvening of the regular Council session, Mayor McCaleb returned to Item 9A.

<b>Motion:</b>	<b>Move to approve and ratify a Broken Arrow Municipal Authority contract with Regional Metropolitan Utility Authority (RMUA) for New Annual Operations and Maintenance and authorize execution</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Wade McCaleb
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- B. Receipt and consideration of bids for and possible action awarding the sale of \$1,940,000 in principal amount of Series 2010A General Obligation Bonds and authorization to execute the pertinent documents related thereto

**Item Minutes:** Mr. Thomas Caldwell, Finance Director, presented the information for this item as stated in the Fact Sheet provided in the agenda packet. Mr. Caldwell explained that Council authorized the solicitation of bids to sell \$1,940,000 in General Obligation Bonds from the 2004 authorization and \$10,575,000 in General Obligation Bonds from the 2008 authorization for an total amount of \$12,515,000. He said that bids were received at 11:00 a.m. Central Time, June 21, 2010, for the possible sale of \$1,940,000 in General Obligation Bonds and that Mr. Jon Wolff of Municipal Finance Services, the City's Financial Advisor, was present to review the bids. If the sale is approved, the Council will consider Ordinance #3113 which follows on the agenda.

City Attorney, Ms. Beth Anne Wilkening, said there should be two separate motions.

<b>Motion:</b>	<b>Move to receive and consider the bids awarding the sale of \$1,940,000 in principal amount of Series 2010A General Obligation Bonds</b>
<b>Motion by:</b>	Wade McCaleb
<b>Second by:</b>	Craig Thurmond
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

Mayor Lester declared the public hearing open two more times. There being no requests to speak, Mayor Lester declared the public hearing closed.

Motion: Move to approve applying to accept the Grant

Motion b Craig Thurmond

Second b Richard Carter

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

Nays: None

B. Approval of and authorization to execute a Proclamation proclaiming June 19, 2010 as National Freedom 2 Flip Day in Broken Arrow to commemorate this national event in conjunction with USA Gymnastics Member Clubs

Item Minutes: Mayor Lester said that Councilor Norman attended the National Freedom 2 Flip event. Ms. Harriet Harris was present to accept the Proclamation. Mayor Lester read the Proclamation aloud and commended Brittany Harris on her accomplishments and wished her the best at Oregon State University.

Motion: Move to approve and authorize execution of a Proclamation proclaiming June 19, 2010 as National Freedom 2 Flip Day in Broken Arrow

Motion b Wade McCaleb

Second b Jill Norman

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

Nays: None

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

Section Minutes: There were no requests to address Council under Item 8.

9. General Council Business

A. Approval of and ratify a Broken Arrow Municipal Authority contract with Regional Metropolitan Utility Authority RMUA) for New Annual Operations and Maintenance and authorize execution

Item Minutes: Mayor Lester asked that this item be tabled until after the Broken Arrow Municipal Authority meeting.

Motion: Move to table until after the Broken Arrow Municipal Authority meeting

Motion b Richard Carter

Second b Wade McCaleb

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

Nays: None

At 7:32 p.m., after the Broken Arrow Municipal Authority meeting and reconvening of the regular Council session, Mayor McCaleb returned to Item 9A.

Motion: Move to approve and ratify a Broken Arrow Municipal Authority contract with Regional Metropolitan Utility Authority RMUA) for New Annual Operations and Maintenance and authorize execution

Motion b Craig Thurmond

Second b Wade McCaleb

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

Nays: None

B.

Receipt and consideration of bids for and possible action awarding the sale of \$1,940,000 in principal amount of Series 2010A General Obligation Bonds and authorization to execute the pertinent documents related thereto

Item Minutes: Mr. Thomas Caldwell, Finance Director, presented the information for this item as stated in the Fact Sheet provided in the agenda packet. Mr. Caldwell explained that Council authorized the solicitation

of bids to sell \$1,940,000 in General Obligation Bonds from the 2004 authorization and \$10,575,000 in General Obligation Bonds from the 2008 authorization for an total amount of \$12,515,000. He said that-- bids were received at 11:00 a.m. Central Time, June 21, 2010, for the possible sale of \$1,940,000 in General Obligation Bonds and that Mr. Jon Wolff of Municipal Finance Services, the City's Financial Advisor, was present to review the bids. If the sale is approved, the Council will consider Ordinance #3113 which follows on the agenda.

City Attorney, Ms. Beth Anne Wilkening, said there should be two separate motions.

Motion: Move to receive and consider the bids awarding the sale of \$1,940,000 in principal amount of Series 2010A General Obligation Bonds

Motion b Wade McCaleb

Second b Craig Thurmond

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

Nays: None

Broken Arrow City Council Agenda Page 2 of 7 June 21, 2010

<b>Motion:</b>	<b>Move to award the sale of \$1,940,000 in principal amount of Series 2010A bid to BOSC, Inc. and authorize execution of the pertinent documents related thereto</b>
<b>Motion by:</b>	Wade McCaleb
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- C. Receipt and consideration of bids for and possible action awarding the sale of \$10,575,000 in principal amount of Series 2010B General Obligation Bonds and authorization to execute the pertinent documents related thereto

**Item Minutes:** Mr. Thomas Caldwell, Finance Director, presented the information for this item as stated in the Fact Sheet provided in the agenda packet. Mr. Caldwell explained that Council authorized the solicitation of bids to sell \$1,940,000 in General Obligation Bonds from the 2004 authorization and \$10,575,000 in General Obligation Bonds from the 2008 authorization for an total amount of \$12,515,000. He said that bids were received at 11:00 a.m. Central Time, June 21, 2010, for the possible sale of \$10,575,000 in General Obligation Bonds and that Mr. Jon Wolff of Municipal Finance Services, the City's Financial Advisor, was present to review the bids. If the sale is approved, the Council will consider Ordinance #3114 which follows on the agenda.

City Attorney, Ms. Beth Anne Wilkening, said there should be two separate motions.

<b>Motion:</b>	<b>Move to receive and consider the bids awarding the sale of \$10,575,000 in principal amount of Series 2010B General Obligation Bonds</b>
<b>Motion by:</b>	Wade McCaleb
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

<b>Motion:</b>	<b>Move to award the sale of \$10,575,000 in principal amount of Series 2010B bid to The Baker Group, Inc. and authorize execution of the pertinent documents related thereto</b>
<b>Motion by:</b>	Wade McCaleb
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- D. Approval of a Resolution of Necessity to Condemn 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)

**Item Minutes:** Mr. Wooden stated the agenda title for the widening of Aspen should state "Florence north to New Orleans". He said that that staff requested donation of a right-of-way and two (2) temporary construction easements owned by Quapaw Investments, LLC, an Oklahoma Limited Liability Company and Dunham, LLC, an Oklahoma Limited Liability Company. He said that the Broken Arrow City Council desires to acquire this right-of-way and two temporary construction easements for the public purpose of constructing the Aspen Widening Project - Florence to New Orleans Street. Ms. Wilkening said that negotiations were undertaken with the parties involved but were unsuccessful which makes the filing of a condemnation action necessary.

<b>Motion:</b>	<b>Move to approve Resolution No. 654, a Resolution of Necessity to Condemn 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 – Florence north to New Orleans)</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Wade McCaleb
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- E. Consideration and approval to adopt the Engineering Design Criteria Manual for Implementation

**Item Minutes:** Engineering and Construction Director, Mr. Kenny Schwab said that in October 2009, the City began an extensive process to establish a separate document to govern the engineering and design requirements for all public infrastructure improvements as well as for all private infrastructure improvements that are to be donated to the public. He stated that these minimum standards do not provide any warranties or assurances that these minimum engineering design criteria are sufficient to ensure the proper design and subsequent construction of the proposed improvements; and, this Manual merely sets forth certain minimum engineering design standards and criteria necessary to promote the proper construction of the proposed improvements. Mr. Schwab said the standards clearly indicate that any person or entity owning land within the city limits and developing improvements upon said land shall be responsible and rely upon their own properly licensed and/or certified design professionals to accurately engineer and design the proposed improvements, whether public or private.

Motion: Move to award the sale of \$1,940,000 in principal amount of Series 2010A bid to BOSC, Inc. and authorize execution of the pertinent documents related thereto

Motion b Wade McCaleb

Second b Richard Carter

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

Nays: None

C.

Receipt and consideration of bids for and possible action awarding the sale of \$10,575,000 in principal amount of Series 2010B General Obligation Bonds and authorization to execute the pertinent documents related thereto

Item Minutes: Mr. Thomas Caldwell, Finance Director, presented the information for this item as stated in the Fact Sheet provided in the agenda packet. Mr. Caldwell explained that Council authorized the solicitation of bids to sell \$1,940,000 in General Obligation Bonds from the 2004 authorization and \$10,575,000 in General Obligation Bonds from the 2008 authorization for an total amount of \$12,515,000. He said that bids were received at 11:00 a.m. Central Time, June 21, 2010, for the possible sale of \$10,575,000 in General Obligation Bonds and that Mr. Jon Wolff of Municipal Finance Services, the City's Financial Advisor, was present to review the bids. If the sale is approved, the Council will consider Ordinance #3114 which follows on the agenda.

City Attorney, Ms. Beth Anne Wilkening, said there should be two separate motions.

Motion: Move to receive and consider the bids awarding the sale of \$10,575,000 in principal amount of Series 2010B General Obligation Bonds

Motion b Wade McCaleb

Second b Richard Carter

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

Nays: None

Motion: Move to award the sale of \$10,575,000 in principal amount of Series 2010B bid to The Baker Group, Inc. and authorize execution of the pertinent documents related thereto

Motion b Wade McCaleb

Second b Jill Norman

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

Nays: None

D. Approval of a Resolution of Necessity to Condemn 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)

Item Minutes: Mr. Wooden stated the agenda title for the widening of Aspen should state Florence north to New Orleans". He said that that staff requested donation of a right-of-way and two 2) temporary construction easements owned by Quapaw Investments, LLC, an Oklahoma Limited Liability Company and Dunham, LLC, an Oklahoma Limited Liability Company. He said that the Broken Arrow City Council desires to acquire this right-of-way and two temporary construction easements for the public purpose of constructing the Aspen Widening Project Florence to New Orleans Street. Ms. Wilkening said that negotiations were undertaken with the parties involved but were unsuccessful which makes the filing of a condemnation action necessary.

Motion: Move to approve Resolution No. 654, a Resolution of Necessity to Condemn 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 Florence north to New Orleans)

Motion b Craig Thurmond

Second b Wade McCaleb

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

Nays: None

E. Consideration and approval to adopt the Engineering Design Criteria Manual for Implementation

Item Minutes: Engineering and Construction Director, Mr. Kenny Schwab said that in October 2009, the City began an extensive process to establish a separate document to govern the engineering and design requirements for all public infrastructure improvements as well as for all private infrastructure improvements that are to be donated to the public. He stated that these minimum standards do not provide any warranties or assurances that these minimum engineering design criteria are sufficient to ensure the proper design and subsequent construction of the proposed improvements; and, this Manual merely sets forth certain minimum engineering design standards and criteria necessary to promote the proper construction of the proposed improvements. Mr. Schwab said the standards clearly indicate that any person or entity owning land within the city limits and developing improvements upon said land shall be responsible and rely upon their own properly licensed and/or certified design professionals to accurately engineer and design the proposed improvements, whether public or private.

Broken Arrow City Council Agenda Page 3 of 7 June 21, 2010

<b>Motion:</b>	<b>Move to approve adoption of the Engineering Design Criteria Manual for Implementation</b>
<b>Motion by:</b>	Wade McCaleb
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- F. Consideration and possible approval of a request to have the Farmers Market pavilion named the Jack Ross Senior Pavilion and authorization for preparation of a plaque

**Item Minutes:** Mr. Wooden stated that he received a request to have the Farmers Market pavilion re-named the Jack Ross Senior Pavilion. Mr. Wooden said that Mr. Ross was a long time supporter of Downtown Broken Arrow and Rooster Days and added that the request to rename the pavilion is in compliance with the City's policy. Mr. Wooden said that, if approved, the Parks and Recreation Department will have an appropriate plaque prepared and coordinate a ceremony for installation of the plaque. Councilor Carter said that Mr. Ross was an outstanding citizen and supporter of Broken Arrow. Councilor Carter said the whole heartedly supported the renaming of the pavilion in Mr. Ross' honor. Council agreed.

<b>Motion:</b>	<b>Move to approve renaming the Farmers Market pavilion named the Jack Ross Senior Pavilion and authorization for preparation of a plaque</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Wade McCaleb
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- G. Consideration and possible approval of a request to have the Indian Springs Sports Complex baseball fields 14 and 15 named the Jim Cheatham Baseball Fields and approval to prepare a plaque

**Item Minutes:** Mr. Wooden stated that he received a request to have the Indian Springs Sports Complex baseball fields 14 and 15 named the Jim Cheatham Baseball Fields. Mr. Wooden stated that Mr. Cheatham was a long time supporter of Youth Baseball in Broken Arrow, served as the City's Parks and Recreation Director for 25 years and was involved in the development of the ISSC complex. Mr. Wooden said the renaming is in compliance with the City's policy on naming facilities and, if approved, the Parks and Recreation Department will have an appropriate plaque prepared and coordinate a ceremony for installation of the plaque.

<b>Motion:</b>	<b>Move to approve renaming the Indian Springs Sports Complex baseball fields 14 and 15 named the Jim Cheatham Baseball Fields and approval to prepare a plaque</b>
<b>Motion by:</b>	Wade McCaleb
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

## 10. City Manager's Report

- A. Consideration and possible approval of Woodstock II Drainage Channel Actions

**Item Minutes:** Mr. Wooden stated that residents of the Camino Villa subdivision have reported drainage channel issues. Mr. Kenny Schwab said the drainage issues related to the portion of their neighborhood draining into the Woodstock II overland channel in the 1400 to 1600 block of North 26th Place; and, the issues were due to overgrown trees and vegetation and fence obstructing the flow of water to varying degrees of severity on multiple lots. Mr. Schwab said that investigation of the channel by both Engineering and Construction staff and Code Enforcement staff confirms the above drainage channel issues.

Mr. Schwab said that letters have been sent to property owners by Code Enforcement indicating the need to remove constrictive vegetation and fencing but, due to the complexity and extent of the clean-up in the Woodstock II subdivision, City staff recommends that a single project be done to address the issues rather than attempting to oversee the required work by multiple property owners in a piece-meal fashion.; He stated that the recommendation is for City forces to perform the channel clearing work, remove physical obstructions, and re-set fences to the easement boundary or install an acceptable flow through device between property boundaries to provide adequate stormwater conveyance within the overland channel; and, that improvements will also be performed on the public stormwater sewer that discharges directly into the channel in order to re-direct the flow downstream; and, that work will be coordinated with the affected property owners

Mr. Philip Young, a resident in the affected area, expressed his concerns regarding the flow of water over his property. Ms. Katherine Miano, also a resident of the affected area, agreed with Mr. Young's comments and said the drainage issues were a long-time problem that needed to be fixed. Mr. Wooden said Mr. Schwab will be in touch with them.

<b>Motion:</b>	<b>Move to approve Woodstock II Drainage Channel Actions</b>
<b>Motion by:</b>	Wade McCaleb
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

Motion: Move to approve adoption of the Engineering Design Criteria Manual for Implementation

Motion b Wade McCaleb

Second b Richard Carter

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

Nays: None

F. Consideration and possible approval of a request to have the Farmers Market pavilion named the Jack Ross Senior Pavilion and authorization for preparation of a plaque

Item Minutes: Mr. Wooden stated that he received a request to have the Farmers Market pavilion re-named the Jack Ross Senior Pavilion. Mr. Wooden said that Mr. Ross was a long time supporter of Downtown Broken Arrow and Rooster Days and added that the request to rename the pavilion is in compliance with the City's policy. Mr. Wooden said that, if approved, the Parks and Recreation Department will have an appropriate plaque prepared and coordinate a ceremony for installation of the plaque. Councilor Carter said that Mr. Ross was an outstanding citizen and supporter of Broken Arrow. Councilor Carter said the whole heartedly supported the renaming of the pavilion in Mr. Ross' honor. Council agreed.

Motion: Move to approve renaming the Farmers Market pavilion named the Jack Ross Senior Pavilion and authorization for preparation of a plaque

Motion b Richard Carter

Second b Wade McCaleb

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

Nays: None

G. Consideration and possible approval of a request to have the Indian Springs Sports Complex baseball fields 14 and 15 named the Jim Cheatham Baseball Fields and approval to prepare a plaque

Item Minutes: Mr. Wooden stated that he received a request to have the Indian Springs Sports Complex baseball fields 14 and 15 named the Jim Cheatham Baseball Fields. Mr. Wooden stated that Mr. Cheatham was a long time supporter of Youth Baseball in Broken Arrow, served as the City's Parks and Recreation Director for 25 years and was involved in the development of the ISSC complex. Mr. Wooden said the renaming is in compliance with the City's policy on naming facilities and, if approved, the Parks and Recreation Department will have an appropriate plaque prepared and coordinate a ceremony for installation of the plaque.

Motion: Move to approve renaming the Indian Springs Sports Complex baseball fields 14 and 15 named the Jim Cheatham Baseball Fields and approval to prepare a plaque

Motion b Wade McCaleb

Second b Richard Carter

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

Nays: None

10. City Manager's Report

A. Consideration and possible approval of Woodstock II Drainage Channel Actions

Item Minutes: Mr. Wooden stated that residents of the Camino Villa subdivision have reported drainage channel issues. Mr. Kenny Schwab said the drainage issues related to the portion of their neighborhood draining into the Woodstock II overland channel in the 1400 to 1600 block of North 26th Place; and, the issues were due to overgrown trees and vegetation and fence obstructing the flow of water to varying degrees of severity on multiple lots. Mr. Schwab said that investigation of the channel by both Engineering and Construction staff and Code Enforcement staff confirms the above drainage channel issues.

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to remove constrictive vegetation and fencing but, due to the complexity and extent of the clean-up in the Woodstock II subdivision, City staff recommends that a single project be done to address the issues rather than attempting to oversee the required work by multiple property owners in a piece-meal fashion.; He stated that the recommendation is for City forces to perform the channel clearing work, remove physical obstructions, and re-set fences to the easement boundary or install an acceptable flow through device between property boundaries to provide adequate stormwater conveyance within the overland channel; and, that improvements will also be performed on the public stormwater sewer that discharges directly into the channel in order to re-direct the flow downstream; and, that work will be coordinated with the affected property owners

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Motion: Move to approve Woodstock II Drainage Channel Actions

Motion b Wade McCaleb

Second b Richard Carter

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

Nays: None

Broken Arrow City Council Agenda Page 4 of 7 June 21, 2010

- B. Consideration and possible approval of an Adopt-a-Corner Program and authorization for City staff to prepare a draft policy complete with legal documents for presentation to City Council for review at a future Council meeting

**Item Minutes:** Mr. Wooden said that Mr. Sonny Kinion, a member of the Chamber Beautification Committee requested that Council Member McCaleb look into an "Adopt a Corner Program". Mr. Wooden said the program was defined the program as a program where each corner, in the City, had a designated person to frequently (even daily if it was a corner they passed frequently) pick up the illegal signs; and, the Cities that are using this program had a simple form from the city to the Corner Sponsor acknowledging that they had the right to remove the signs from city right-of-way.

Mr. Wooden said that during the June 7, 2010, City Council Member McCaleb requested that the staff look into this type of program, and the City Attorney's Office looked into the proposal and found that the proposal was similar to the adopt-a-mile trash pick-up program. Mr. Wooden said the City Attorney determined that it was legal for the City to implement this type of program with the following points that should be considered:

1. The people picking up the signs should only remove the temporary signs (Signs constructed of paper or plastic and secured by a temporary method such as wire, taped to a box or stapled to a tree or wood stake.)
2. The people picking up the signs should contact the City Code Enforcement Office for removal of permanent or semi-permanent type signs as these types of signs must be preserved as evidence of the violation and for possible reclamation by the owner.
3. The City would need to be sure also that our volunteers did not engage in any favoritism with regard to removing signs especially during the political campaign season. Either remove them all from the ROW or remove none of them.
4. The City would have to ensure that volunteers had permission of the property owner to pick up the signs and making sure they don't engage in any confrontation with the sign owners.

Mr. Wooden said that if the City Council would like to institute this type of program, the staff would prepare a draft policy complete with legal documents be provided to the City Council for review.

<b>Motion:</b>	<b>Move to approve an Adopt-a-Corner Program and to authorize City staff to prepare a draft policy complete with legal documents for presentation to City Council for review at a future Council meeting</b>
<b>Motion by:</b>	Wade McCaleb
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

#### 11. Preview Ordinances

- A. None

#### 12. Ordinances

- A. Consideration and possible approval of Ordinance Number 3113 providing for the issuance of \$1,940,000 General Obligation Bonds, Series 2010A by the City of Broken Arrow, Oklahoma, authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for registration thereof; providing levy of an annual tax for the payment of principal and interest on the same; and fixing other details of the issue and declaring an emergency

**Item Minutes:** Ms. Wilkening stated that the proposed sale was considered in a previous Council Agenda Item, and this ordinance finalizes the steps required to proceed with a positive vote authorizing the sale.

<b>Motion:</b>	<b>Move to adopt Ordinance Number 3113</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

<b>Motion:</b>	<b>Move to approve the Emergency Clause for Ordinance Number 3113</b>
<b>Motion by:</b>	Wade McCaleb
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

B. Consideration and possible approval of an Adopt-a-Corner Program and authorization for City staff to prepare a draft policy complete with legal documents for presentation to City Council for review at a future Council meeting

Item Minutes: Mr. Wooden said that Mr. Sonny Kinion, a member of the Chamber Beautification Committee requested that Council Member McCaleb look into an Adopt a Corner Program". Mr. Wooden said the program was defined the program as a program where each corner, in the City, had a designated person to frequently even daily if it was a corner they passed frequently) pick up the illegal signs; and, the Cities that are using this program had a simple form from the city to the Corner Sponsor acknowledging that they had the right to remove the signs from city right-of-way.

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4. The City would have to ensure that volunteers had permission of the property owner to pick up the signs and making sure they don't engage in any confrontation with the sign owners.

Mr. Wooden said that if the City Council would like to institute this type of program, the staff would prepare a draft policy complete with legal documents be provided to the City Council for review.

Motion: Move to approve an Adopt-a-Corner Program and to authorize City staff to prepare a draft policy complete with legal documents for presentation to City Council for review at a future Council meeting

Motion b Wade McCaleb

Second b Richard Carter

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

Nays: one

11.

Preview Ordinances

A. None

12. Ordinances

A. Consideration and possible approval of Ordinance Number 3113 providing for the issuance of \$1,940,000 General Obligation Bonds, Series 2010A by the City of Broken Arrow, Oklahoma, authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for registration thereof; providing levy of an annual tax for the payment of principal and interest on the same; and fixing other details of the issue and declaring an emergency

Item Minutes: Ms. Wilkening stated that the proposed sale was considered in a previous Council Agenda Item, and this ordinance finalizes the steps required to proceed with a positive vote authorizing the sale.

Motion: Move to adopt Ordinance Number 3113

Motion b Richard Carter

Second b Jill Norman

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

Nays: None

Motion: Move to approve the Emergency Clause for Ordinance Number 3113

Motion b Wade McCaleb

Second b Jill Norman

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

Nays: None

Broken Arrow City Council Agenda Page 5 of 7 June 21, 2010

- B. Consideration and possible approval of Ordinance Number 3114 providing for the issuance of \$10,575,000 General Obligation Bonds, Series 2010B by the City of Broken Arrow, Oklahoma, authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for registration thereof; providing levy of an annual tax for the payment of principal and interest on the same; and fixing other details of the issue and declaring an emergency

- C. **Item Minutes:** Ms. Wilkening stated that the proposed sale was considered in a previous Council Agenda Item, and this ordinance finalizes the steps required to proceed with a positive vote authorizing the sale.

<b>Motion:</b>	<b>Move to adopt Ordinance Number 3114</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

<b>Motion:</b>	<b>Move to approve the Emergency Clause for Ordinance Number 3114</b>
<b>Motion by:</b>	Wade McCaleb
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

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

**Section Minutes:** Councilor Norman said she had taken a tour of City Departments that was very informative and she recommended a tour to the Council. She said she had attended a number of community events.

At approximately 7:21 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 meeting and the Broken Arrow Economic Development Authority meeting</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

Mayor Lester reconvened the regular Council meeting at approximately 7:32 p.m.

Mayor Lester said Council will now return to Item 9A.

At 7:34 p.m., Mayor Lester 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 short break in order to clear the room prior to entering into Executive Session</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

Mayor Lester reconvened the regular Council meeting at approximately 7:41 p.m.

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

- 14. Executive Session** for the purpose of confidential communications and possible action in open session between the City Council, the City Manager, and the City Attorney on matters concerning the IAFF and CWA employee groups under 25 O.S. § 307(B)(2). 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 7:58 p.m., and the room was opened for those in attendance.

Mayor Lester stated that there were no items requiring action and no motions will be made.

No action was taken or required.

**15. Adjournment**



B. Consideration and possible approval of Ordinance Number 3114 providing for the issuance of \$10,575,000 General Obligation Bonds, Series 2010B by the City of Broken Arrow, Oklahoma, authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for registration thereof; providing levy of an annual tax for the payment of principal and interest on the same; and fixing other details of the issue and declaring an emergency

C. Item Minutes: Ms. Wilkening stated that the proposed sale was considered in a previous Council Agenda Item, and this ordinance finalizes the steps required to proceed with a positive vote authorizing the sale.

Motion: Move to adopt Ordinance Number 3114

Motion b Craig Thurmond

Second b Richard Carter

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

Nays: None

Motion: Move to approve the Emergency Clause for Ordinance Number 3114

Motion b Wade McCaleb

Second b Richard Carter

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

Nays: None

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

Section Minutes: Councilor Norman said she had taken a tour of City Departments that was very informative and she recommended a tour to the Council. She said she had attended a number of community events.

At approximately 7:21 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 meeting and the Broken Arrow Economic Development Authority meeting

Motion b Craig Thurmond

Second b Richard Carter

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

Nays: None

Mayor Lester reconvened the regular Council meeting at approximately 7:32 p.m.

Mayor Lester said Council will now return to Item 9A.

At 7:34 p.m., Mayor Lester 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 short break in order to clear the room prior to entering into Executive Session

Motion b Craig Thurmond

Second b Jill Norman

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

Nays: None

Mayor Lester reconvened the regular Council meeting at approximately 7:41 p.m.

Motion: Move to enter into Executive Session

Motion b Craig Thurmond

Second b Richard Carter

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

Nays: None

### 14.

Executive Session for the purpose of confidential communications and possible action in open session between the City Council, the City Manager, and the City Attorney on matters concerning the IAFF and CWA employee groups under 25 O.S. 307(B)(2). After the conclusion of the confidential portion of executive session, the Council will

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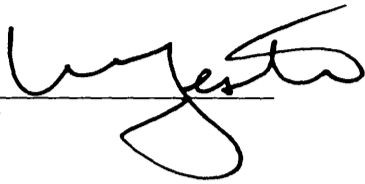
15. Adjournment

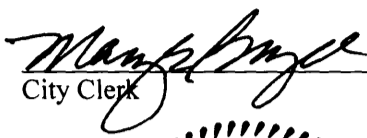
Broken Arrow City Council Agenda Page 6 of 7

June 21, 2010

Section Minutes: The meeting adjourned at approximately 7:59 p.m.

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

  
\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk



Section Minutes: The meeting adjourned at approximately 7:59 p.m.

Motion: Move to adjourn

Motion b Craig Thurmond

Second b Richard Carter

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

Nays: None

Attest:

Mayor

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Broken Arrow City Council Agenda Page 7 of 7 June 21, 2010