

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

October 5, 2010

6:30 PM

1. Call to Order

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

Invocation

Section Minutes: There was no one to deliver the invocation.

3. Roll Call

Present:	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
Absent:	None

4. Pledge of Allegiance to the Flag

Section Minutes: Councilman McCaleb led the Pledge of Allegiance to the Flag.

5. Consideration of Consent Agenda

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

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

- A. Approval of the regular meeting minutes of September 21, 2010
- B. Acceptance of the minutes of the Planning Commission meeting held September 9, 2010
- C. Approval of and authorization to execute Budget Amendment Number 5 for Fiscal Year 2010-2011
- D. Approval of purchase of Microsoft Office Software with Software Assurance and Server/Exchange Licenses for Mobile Data Laptops
- E. Approval of and authorization to execute a Clinical Rotation Agreement between the City of Broken Arrow and Tulsa Technology Center School District No.18
- F. Approval of and authorization to execute Major Quantity Change Order #MQ01 to Contract SW0911 with Tri-Star Construction, LLC for Haikey Creek Bank Stabilization (Buford Park)
- G. Approval of Bids Received, Award of the Most Advantageous for Resurfacing Roadways in the Silvertree Addition, and authorization to execute a construction contract
- H. Approval of PUD 205A, Hillside Park, 41.44 acres, BAZ 1853, R-3 to IL, BAZ 1854, R-3 to IL, BAZ 1855, R-3 to IL, southwest corner of 9th Street (Lynn Lane/177th East Avenue) and Kenosha Street (71st Street)
- I. Approval of SP 244, Bluebird Garden Center, 6.5 acres, 1 lot, A-1, west of the southwest corner of Highway 51 and Washington Street (91st Street)
- J. Acceptance of a Sewer Line Easement and a Temporary Construction Easement from B-Z Properties, LLC (S7T18NR15E)(Project: Adams Creek NW Sewer Improvements-Phase I)(S.0405)
- K. Acceptance of a Temporary Construction Easement from Lamb, Co-Trustee of the Compton Family Revocable Trust (S23 T18N R14E) (Project: Arrow Acres Sanitary Sewer Improvements #S.0905)
- L. Acceptance of a Temporary Construction Easement located approximately 930 feet south and 2,453 feet west of the intersection of East Houston St (E 81st St) and South Oneta Road (S 241rd E Ave) from Kevin and Claudette Pippin (S16 T18N R15E) (Project: Sanitary Sewer Lift Station Improvements Contract A) (S.1002), and approval of payment for landscape damages and replacement fencing
- M. Acceptance of a Temporary Construction Easement from David Sloan, Jr. (S23 T18N R14E) (Project: Arrow Acres Sanitary Sewer Improvements #S.0905)

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Section Minutes: There was no one to deliver the invocation.

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Jill Norman, Wade Wade McCaleb, Richard Carter, Richard CanerCraig Thurmond, Mike Mike Lester

Present: Jill

None

Absent:

4. Pledge of Allegiance to the Flag

Section Minutes: Councilman McCaleb led the Pledge of Allegiance to the Flag.

5. Consideration of Consent Agenda

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

Motion: Move to approve the Consent Agenda as presented

Motion b Wade McCaleb

Second b Jill Norman

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

Nays: None

A. Approval of the regular meeting minutes of September 21, 2010

B. Acceptance of the minutes of the Planning Commission meeting held September 9, 2010

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K. Acceptance of a Temporary Construction Easement from Lamb, Co-Trustee of the Compton Family Revocable Trust S23 T18N RI4E) Project: Arrow Acres Sanitary Sewer Improvements #S.0905)

L. Acceptance of a Temporary Construction Easement located approximately 930 feet south and 2,453 feet west of the

intersection of East Houston St E 81st St) and South Oneta Road S 241 rd E Ave) from Kevin and Claudette Pippin S16 T18N R15E) Project: Sanitary Sewer Lift Station Improvements Contract A) S.1002), and approval of payment for landscape damages and replacement fencing

M. Acceptance of a Temporary Construction Easement from David Sloan, Jr. S23 T18N R14E) Project: Arrow Acres Sanitary Sewer Improvements #S.0905)

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- N. Acceptance of a Temporary Construction Easement from Larry Whittiker (S23 T18N R14E)(Project Arrow Acres Sanitary Sewer Improvements #S.0905)
- O. Acceptance of a Utility Easement and a Temporary Construction Easement from Larry and Rita Wilson (S23T18NR14E)(Project: S.0905)
- P. 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. A Public Hearing and Presentation of the Proposed Broken Arrow Flight Safety and Downtown Economic Development Project Plan for the Purpose of Giving Any Interested Persons the Opportunity to Express Their Views and Be Heard in Support of or Opposition to the Proposed Project Plan Prior to Any City Council Action with Regard to Adoption of the Proposed Project Plan

Item Minutes: Mayor Mike Lester introduced the public hearing. He then declared the public hearing open and asked if there were any comments to be presented on this item. No one commented. He declared the hearing open for public comment a second time and asked if there were any questions or comments to be made. Again, no one commented. Mayor Lester then declared the hearing open for comments a third and final time. No one commented, and he then declared the public hearing closed.

- B. Proclamation: Approval of and authorization to execute a Proclamation declaring the month of November 2010 as "National American Indian Heritage Month"

Item Minutes: City Manager Dave Wooden stated the factual information as contained in the Fact Sheet provided in the agenda packet, adding that this proclamation has a special significance in Oklahoma. Ms. Lynn Sutton and Ms. Gloria Roling were both present to represent their organization.

Motion:	Move to approve the Proclamation and authorize its execution
Motion by:	Richard Carter
Second by:	Craig Thurmond
Ayes:	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

Mayor Lester then presented the proclamation to Ms. Roling.

- C. Award: Approval and presentation of the "Employee of the Quarter" award recognizing Tavia Dooley for the term July through September 2010

Item Minutes: City Manager Dave Wooden stated the factual information as contained in the Fact Sheet provided in the agenda packet, adding that the Staff wholeheartedly supports Ms. Dooley's nomination for Employee of the Quarter. He said she is probably the reason the Police Department functions, describing her as a stalwart in the Department and one of the outstanding employees in the City. Councilor McCaleb commented that as someone who has worked with Ms. Dooley over the years, he only wondered what took so long to recognize all her accomplishments for the City.

Motion:	Move to approve the "Employee of the Quarter" award recognizing Tavia Dooley for the term July through September 2010
Motion by:	Wade McCaleb
Second by:	Richard Carter
Ayes:	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

Mayor Lester presented the Employee of the Quarter award to Tavia Dooley.

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.

9. General Council Business

- A. Approval and direction by City Council to publish Legal Notice of Annexation and provide any other notice as required by statute for the voluntary annexation of property located at the intersection of Washington (91st Street) and Oneta Road in part of the SW/4 of Section 15, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma

Item Minutes: City Manager Dave Wooden stated that Items 9A and 9B refer to the same location, Item 9A being for the property owned by the City and Item 9B for the property owned by the Broken Arrow School District. Mr. Wooden explained that at this location the School District proposes to build an elementary and a middle school, and the City proposes to build a recreation center. He added that before these projects can begin, the property must first be

N. Acceptance of a Temporary Construction Easement from Larry Whittiker S23 T18N R14E)(Project Arrow Acres Sanitary Sewer Improvements #S.0905)

O. Acceptance of a Utility Easement and a Temporary Construction Easement from Larry and Rita Wilson S23T18NR14E)(Project: S.0905)

P. 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. A Public Hearing and Presentation of the Proposed Broken Arrow Flight Safety and Downtown Economic Development Project Plan for the Purpose of Giving Any Interested Persons the Opportunity to Express Their Views and Be Heard in Support of or Opposition to the Proposed Project Plan Prior to Any City Council Action with Respect to Adoption of the Proposed Project Plan

Item Minutes: Mayor Mike Lester introduced the public hearing. He then declared the public hearing open and asked if there were any comments to be presented on this item. No one commented. He declared the hearing open for public comment a second time and asked if there were any questions or comments to be made. Again, no one commented. Mayor Lester then declared the hearing open for comments a third and final time. No one commented, and he then declared the public hearing closed.

B. Proclamation: Approval of and authorization to execute a Proclamation declaring the month of November 2010 as National American Indian Heritage Month"

Item Minutes: City Manager Dave Wooden stated the factual information as contained in the Fact Sheet provided in the agenda packet, adding that this proclamation has a special significance in Oklahoma. Ms. Lynn Sutton and Ms. Gloria Roling were both present to represent their organization.

Motion: Move to approve the Proclamation and authorize its execution

Motion by Richard Carter

Second by Craig Thurmond

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

Nays: None

Mayor Lester then presented the proclamation to Ms. Roling.

C. Award: Approval and presentation of the Employee of the Quarter" award recognizing Tavia Dooley for the term July through September 2010

Item Minutes: City Manager Dave Wooden stated the factual information as contained in the Fact Sheet provided in the agenda packet, adding that the Staff wholeheartedly supports Ms. Dooley's nomination for Employee of the Quarter. He said she is probably the reason the Police Department functions, describing her as a stalwart in the Department and one of the outstanding employees in the City. Councilor McCaleb commented that as someone who has worked with Ms. Dooley over the years, he only wondered what took so long to recognize all her accomplishments for the City.

Motion: Move to approve the Employee of the Quarter" award recognizing Tavia Dooley for the term July through September 2010

Motion by Wade McCaleb

Second by Richard Carter

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

Nays: None

Mayor Lester presented the Employee of the Quarter award to Tavia Dooley.

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.

9. General Council Business

A. Approval and direction by City Council to publish Legal Notice of Annexation and provide any other notice as

required by statute for the voluntary annexation of property located at the intersection of Washington 91st Street) and Oneta Road in part of the SW/4 of Section 15, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma

Item Minutes: City Manager Dave Wooden stated that Items 9A and 9B refer to the same location, Item 9A being for the property owned by the City and Item 9B for the property owned by the Broken Arrow School District. Mr. Wooden explained that at this location the School District proposes to build an elementary and a middle school, and the City proposes to build a recreation center. He added that before these projects can begin, the property must first be

Broken Arrow City Council Page 2 of 6 October 5, 2010

annexed into the City so that the City has access to the road in front of the property. Mr. Wooden said the Staff recommends that on both items the Council direct the City Clerk to publish legal notice of annexation in a legally qualified newspaper within 14 days, and provide all other notices required by the statute.

Motion:	Move to direct the City Clerk to publish the legal notice of annexation in a legally qualified newspaper within 14 days, and provide all other notices as required by the statute.
Motion by:	Craig Thurmond
Second by:	Richard Carter
Ayes:	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

- B. Approval and direction by City Council to publish Legal Notice of Annexation for the voluntary annexation of property located at Washington (91st Street) and Oneta Road in part of the SW/4 of Section 15, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, for the development of new facilities for the Broken Arrow Public Schools, and to provide all other notice required by law

Item Minutes: City Manager Dave Wooden confirmed that this item was the same as 9A, but it pertains to the property owned by the Broken Arrow School District whereas 9A pertains to the property owned by the City. The annexation is necessary in order for the City to have access to the road in front of the property before beginning the proposed elementary and middle schools.

Motion:	Move to direct the City Clerk to publish the legal notice of annexation in a legally qualified newspaper within 14 days, and to provide all other notice as required by law.
Motion by:	Richard Carter
Second by:	Jill Norman
Ayes:	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

- C. Approval of and authorization to execute a license agreement with Independent School District No. 3 of Tulsa County, Oklahoma (Broken Arrow Public Schools) (BAL-986)

Item Minutes: City Manager Dave Wooden stated the factual information as contained in the Fact Sheet provided in the agenda packet. He informed the Council that the school district is currently in the process of selling this property, making this license agreement necessary so that in the future the City retains its legal rights to the portions of the property constructed on the City's right-of-way.

Motion:	Move to approve and authorize execution of the agreement
Motion by:	Wade McCaleb
Second by:	Richard Carter
Ayes:	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

- D. Consideration of and possible approval of the City of Broken Arrow's Retail Incentive Policy

Item Minutes: Mr. Norman Stephens, Economic Development Coordinator, stated the factual information as contained in the Fact Sheet provided in the agenda packet. Referring to the stipulation that a retail regional project not be within 100 miles of its nearest competitor, Councilor McCaleb suggested changing that stipulation to 75 miles, noting that Oklahoma City and Joplin are both close to 100 miles from Broken Arrow. City Manager Dave Wooden responded that the Staff didn't have any problem with that suggested change. Mr. Wooden then pointed out that this policy will clarify a lot of the issues about where the Council will or will not provide economic incentives for people to move into the City of Broken Arrow, and also clarifies that economic incentives are provided in those areas that primarily provide a definite benefit to the City.

Motion:	Move to approve the City of Broken Arrow's Retail Incentive Policy as revised
Motion by:	Craig Thurmond
Second by:	Richard Carter
Ayes:	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

- E. Consideration and possible approval of the reappointment of Mark Frie to the Convention and Visitors Bureau

Item Minutes: City Manager Dave Wooden stated the factual information as contained in the Fact Sheet provided in the agenda packet.

Motion:	Move to approve the reappointment of Mark Frie to the Broken Arrow Convention and Visitors Bureau with term expiring September 30, 2012
Motion by:	Richard Carter
Second by:	Jill Norman

annexed into the City so that the City has access to the road in front of the property. Mr. Wooden said the Staff recommends that on both items the Council direct the City Clerk to publish legal notice of annexation in a legally qualified newspaper within 14 days, and provide all other notices required by the statute.

Motion: Move to direct the City Clerk to publish the legal notice of annexation in a legally qualified newspaper within 14 days, and provide all other notices as required by the statute.

Motion b Craig Thurmond

Second b Richard Carter

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

Nays: None

B. Approval and direction by City Council to publish Legal Notice of Annexation for the voluntary annexation of property located at Washington 91st Street) and Oneta Road in part of the SW/4 of Section 15, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, for the development of new facilities for the Broken Arrow Public Schools, and to provide all other notice required by law

Item Minutes: City Manager Dave Wooden confirmed that this item was the same as 9A, but it pertains to the property owned by the Broken Arrow School District whereas 9A pertains to the property owned by the City. The annexation is necessary in order for the City to have access to the road in front of the property before beginning the proposed elementary and middle schools.

Motion: Move to direct the City Clerk to publish the legal notice of annexation in a legally qualified newspaper within 14 days, and to provide all other notice as required by law.

Motion b Richard Carter

Second b Jill Norman

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

Nays: None

C. Approval of and authorization to execute a license agreement with Independent School District No. 3 of Tulsa County, Oklahoma Broken Arrow Public Schools) BAL-986)

Item Minutes: City Manager Dave Wooden stated the factual information as contained in the Fact Sheet provided in the agenda packet. He informed the Council that the school district is currently in the process of selling this property, making this license agreement necessary so that in the future the City retains its legal rights to the portions of the property constructed on the City's right-of-way.

Motion: Move to approve and authorize execution of the agreement

Motion b Wade McCaleb

Second b Richard Carter

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

Nays: None 7J

D. Consideration of and possible approval of the City of Broken Arrow's Retail Incentive Policy

Item Minutes: Mr. Norman Stephens, Economic Development Coordinator, stated the factual information as contained in the Fact Sheet provided in the agenda packet. Referring to the stipulation that a retail regional project not be within 100 miles of its nearest competitor, Councilor McCaleb suggested changing that stipulation to 75 miles, noting that Oklahoma City and Joplin are both close to 100 miles from Broken Arrow. City Manager Dave Wooden responded that the Staff didn't have any problem with that suggested change. Mr. Wooden then pointed out that this policy will clarify a lot of the issues about where the Council will or will not provide economic incentives for people to move into the City of Broken Arrow, and also clarifies that economic incentives are provided in those areas that primarily provide a definite benefit to the City.

Motion: Move to approve the City of Broken Arrow's Retail Incentive Policy as revised

Motion b Craig Thurmond

Second b Richard Carter

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

Nays: None

E. Consideration and possible approval of the reappointment of Mark Frie to the Convention and Visitors Bureau

Item Minutes: City Manager Dave Wooden stated the factual information as contained in the Fact Sheet provided in the agenda packet.

Motion: Move to approve the reappointment of Mark Frie to the Broken Arrow

Convention and Visitors Bureau with term expiring September 30, 2012

Motion b Richard Carter

Second b Jill Norman

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Ayes:	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

F. Consideration and possible approval of the reappointment of Betty Gerber to the Convention and Visitors Bureau

Item Minutes: City Manager Dave Wooden stated the factual information as contained in the Fact Sheet provided in the agenda packet.

Motion:	Move to reappoint of Betty Gerber to the Broken Arrow Convention and Visitors Bureau through September 30, 2012
Motion by:	Wade McCaleb
Second by:	Jill Norman
Ayes:	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

G. Consideration and possible approval of the reappointment of Jeff Hewett to the Convention and Visitors Bureau

Item Minutes: City Manager Dave Wooden stated the factual information as contained in the Fact Sheet provided in the agenda packet.

Motion:	Move to approve the reappointment of Jeff Hewett to the Broken Arrow Convention and Visitors Bureau with a term expiring September 30, 2012
Motion by:	Craig Thurmond
Second by:	Richard Carter
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 approving and adopting the Broken Arrow FlightSafety and Downtown Economic Development Project Plan; Designating and adopting project area and increment district boundaries; Establishing a date for the creation of increment district number one, City of Broken Arrow; adopting certain findings; Authorizing the City of Broken Arrow to carry out and administer the project plan; Establishing a tax apportionment fund; Declaring apportioned funds to be special funds of the City of Broken Arrow or an alternative authorized entity; Authorizing the use of ad valorem and sales tax increment revenues for the payment or financing of certain project costs; Authorizing the use of other resources to pay for or finance project costs; Authorizing the Broken Arrow Economic Development Authority or an alternative authorized entity to issue bonds or other indebtedness and carry out certain provisions of the Project Plan; Ratifying and confirming the actions, recommendations and findings of the Review Committee and the Planning Commission; Directing continuing apportionment; Providing for severability; Declaring an emergency

Item Minutes: City Manager Dave Wooden noted that this is the same item previewed by the Council at the previous meeting. He said it was carried forward to this meeting to accommodate the public hearing, and will be brought back at the next meeting for final approval. Mr. Wooden stated that no action is required at this point. No action was required or taken.

B. An ordinance closing a right-of-way in the Northwest Corner of Block 1, Mound View Addition, to the City of Broken Arrow, Tulsa County, State of Oklahoma

C. An ordinance amending Chapter 2, Article II, Sections 2-23, 2-24, 2-25, 2-26, 2-27, 2-28, 2-29, 2-30, 2-31, 2-32, 3-33, 2-34, 2-35, 2-87, 2-88, 2-89, 2-90, 2-181, 2-185, 2-187, and 2-188 of the Broken Arrow Code; and repealing all ordinances to the contrary

D. An ordinance amending Chapter 2, Article XVI, pertaining to the Downtown Advisory Board, Sections 2-230, Created, 2-231, Appointments, and 2-234 Duties; repealing all ordinances to the contrary; and declaring an emergency

Item Minutes: The Preview ordinances 11B, 11C, and 11D were taken together.

City Manager Dave Wooden stated the factual information for Preview Ordinance 11B as contained in the Fact Sheet provided in the agenda packet.

Regarding Preview Ordinance 11C, City Attorney Beth Anne Wilkening recognized Lee Zirk, General Services Director, and his department for creating a very comprehensive Purchasing Manual. She described the revisions to the Broken Arrow Code and the Purchasing Manual as a "tremendous undertaking", for which efforts were made to be certain the revisions were in compliance with state law and accepted practices. Ms Wilkening noted that because these revisions span all departments, an effort was made to meet with all departments, find out what their purchasing practices are, and streamline them. She highlighted some of the factual information contained in the Fact Sheet provided in the agenda packet, adding that Lee Zirk and his division take responsibility for the public's funds very seriously, as do Tom Caldwell and Tom Cook. Ms. Wilkening added that these amendments provide maximum accountability, and noted that there will be times when the City will have to deviate from these ordinances although

Jill Norman, Wade McCaleb, CCaleb Richard Carter, CraiTM1Urmond Mike Lester

Ayes: Jill Norman, Wade MRichard Carter, Craig Thurmond, Mike Lester

Nays:

None

F. Consideration and possible approval of the reappointment of Betty Gerber to the Convention and Visitors Bureau
Item Minutes: City Manager Dave Wooden stated the factual information as contained in the Fact Sheet provided in the agenda packet.

Motion: Move to reappoint of Betty Gerber to the Broken Arrow Convention and Visitors Bureau through September 30, 2012

Motion b Wade McCaleb

Second b Jill Norman

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

Nays: None

G. Consideration and possible approval of the reappointment of Jeff Hewett to the Convention and Visitors Bureau
Item Minutes: City Manager Dave Wooden stated the factual information as contained in the Fact Sheet provided in the agenda packet.

Motion: Move to approve the reappointment of Jeff Hewett to the Broken Arrow Convention and Visitors Bureau with a term expiring September 30, 2012

Motion b Craig Thurmond

Second b Richard Carter

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

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D. An ordinance amending Chapter 2, Article XVI, pertaining to the Downtown Advisory Board, Sections 2-230, Created, 2-231, Appointments, and 2-234 Duties; repealing all ordinances to the contrary; and declaring an emergency
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City Manager Dave Wooden stated the factual information for Preview Ordinance 11 B as contained in the Fact Sheet

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Broken Arrow City Council Page 4 of 6 October 5, 2010

the intent is to comply as much as possible. She said the Purchasing Manual will be available for review at the next Council meeting and will be presented to the department directors for their perusal as well. Councilor Richard Carter expressed appreciation for all the work that has gone into this and for the fact that in many years of serving on the Council, he has always had confidence in the way the City handles purchasing. Ms. Wilkening stated that this was done not because there was any deficiency in the way purchasing has been done in the past, but taking the attitude that there's always room for improvement, these changes were made to add clarification.

City Manager Dave Wooden stated the factual information for Preview Ordinance 11D as contained in the Fact Sheet provided in the agenda packet. He stated that in the past several different committees advised the City regarding downtown Broken Arrow. Now the Downtown Advisory Board, expanded by the addition of two members from these other committees, will be the only board responsible for making recommendations to the Planning Commission and the City Council regarding the downtown area. Mr. Wooden described these changes as providing cohesiveness to the downtown revitalization effort. Councilor McCaleb commented that he was glad to see the changes contained in this amendment. Councilor McCaleb then asked if the Downtown Advisory Board will be involved with the newly passed Incentive Program. Mr. Wooden answered that anyone wanting an incentive would go to the Downtown Advisory Board first, and the Downtown Advisory Board would go through the Chamber and the Economic Development team to make recommendations to the Council.

Motion:	Move to pass Preview Ordinances 11B, 11C, and 11D to next Council meeting and set for adoption
Motion by:	Wade McCaleb
Second by:	Richard Carter
Ayes:	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

12. Ordinances

- A. Adopt Ordinance No. 3125, an ordinance changing the name of West Albany Place to West Albany Drive in Stone Ridge Towne Center, an addition to the City of Broken Arrow
- B. Adopt Ordinance No. 3126, an ordinance changing the name of South University Avenue to South University Parkway, in the N.S.U. Broken Arrow Campus, an addition to the City of Broken Arrow, and repealing all ordinances to the contrary

Section Minutes: Items 11A and 11B were taken together. City Manager Dave Wooden stated the factual information as contained in the Fact Sheet provided in the agenda packet for both items.

Motion:	Move to adopt Ordinances 3125 and 3126
Motion by:	Wade McCaleb
Second by:	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: Councilor McCaleb brought to the Council's attention the Fall Clean-Up on October 9th and the Trash Bash set for the following week. Vice-Mayor Thurmond noted that this month is Breast Cancer Awareness month, stating that one in five women are diagnosed with breast cancer. He urged citizens to pursue early diagnosis, noting that it is the key to survival. Councilor Norman said that she attended the recent Adopt-a-Corner training and adopted a corner, and she encouraged everyone to do the same. She commented that she's seen a tremendous difference in the way things look without all the signs. Councilor McCaleb added that his corner has remained clean after he picked it up last week, and he hoped that word is getting out that illegally placed signs will be removed.

At approximately 7:04 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 by:	Craig Thurmond
Second by:	Richard Carter
Ayes:	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

Mayor Lester reconvened the regular Council meeting at approximately 7:13 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 recess prior to entering into Executive Session
Motion by:	Richard Carter
Second by:	Craig Thurmond
Ayes:	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

the intent is to comply as much as possible. She said the Purchasing Manual will be available for review at the next Council meeting and will be presented to the department directors for their perusal as well. Councilor Richard Carter expressed appreciation for all the work that has gone into this and for the fact that in many years of serving on the Council, he has always had confidence in the way the City handles purchasing. Ms. Wilkening stated that this was done not because there was any deficiency in the way purchasing has been done in the past, but taking the attitude that there's always room for improvement, these changes were made to add clarification.

City Manager Dave Wooden stated the factual information for Preview Ordinance 11 D as contained in the Fact Sheet provided in the agenda packet. He stated that in the past several different committees advised the City regarding downtown Broken Arrow. Now the Downtown Advisory Board, expanded by the addition of two members from these other committees, will be the only board responsible for making recommendations to the Planning Commission and the City Council regarding the downtown area. Mr. Wooden described these changes as providing cohesiveness to the downtown revitalization effort. Councilor McCaleb commented that he was glad to see the changes contained in this amendment. Councilor McCaleb then asked if the Downtown Advisory Board will be involved with the newly passed Incentive Program. Mr. Wooden answered that anyone wanting an incentive would go to the Downtown Advisory Board first, and the Downtown Advisory Board would go through the Chamber and the Economic Development team to make recommendations to the Council.

Motion: Move to pass Preview Ordinances 11B, 11C, and 11D to next Council meeting and set for adoption

Motion b Wade McCaleb

Second b Richard Carter

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

Nays: None

12. Ordinances

A. Adopt Ordinance No. 3125, an ordinance changing the name of West Albany Place to West Albany Drive in Stone Ridge Towne Center, an addition to the City of Broken Arrow

B. Adopt Ordinance No. 3126, an ordinance changing the name of South University Avenue to South University Parkway, in the N.S.U. Broken Arrow Campus, an addition to the City of Broken Arrow, and repealing all ordinances to the contrary

Section Minutes: Items 11 A and 11 B were taken together. City Manager Dave Wooden stated the factual information as contained in the Fact Sheet provided in the agenda packet for both items.

Motion: Move to adopt Ordinances 3125 and 3126

Motion b Wade McCaleb

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: Councilor McCaleb brought to the Council's attention the Fall Clean-Up on October 9th and the Trash Bash set for the following week. Vice-Mayor Thurmond noted that this month is Breast Cancer Awareness month, stating that one in five women are diagnosed with breast cancer. He urged citizens to pursue early diagnosis, noting that it is the key to survival. Councilor Norman said that she attended the recent Adopt-a-Corner training and adopted a corner, and she encouraged everyone to do the same. She commented that she's seen a tremendous difference in the way things look without all the signs. Councilor McCaleb added that his corner has remained clean after he picked it up last week, and he hoped that word is getting out that illegally placed signs will be removed.

At approximately 7:04 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 Richard Carter

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

Nays: None

Mayor Lester reconvened the regular Council meeting at approximately 7:13 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 recess prior to entering into Executive Session

Motion b Richard Carter

Second b Craig Thurmond

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

Nays: None

Broken Arrow City Council Page 5 of 6 October 5, 2010

Mayor Lester reconvened the regular session of the City Council meeting at approximately 7:20 p.m.

Motion:	Move to enter into Executive Session
Motion by:	Richard Carter
Second by:	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 on matters concerning the potential purchase and appraisal of real property located in the vicinity of 217th East Avenue and East 96th Street South and taking appropriate action in open session; and a possible land purchase on land to be leased to the Broken Arrow School District at various school sites in the city and taking appropriate action in open session under 25 O.S. §307(B)(3). After the conclusion of the confidential portion of executive session, the City 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 7:32 p.m., and the room is opened for those in attendance.

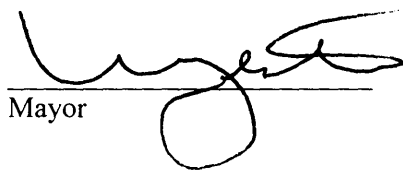
Mayor Lester said there is one motion.

Motion:	Move to authorize City Staff to prepare an agreement for the purchase of real property in the vicinity of 217th East Avenue and East 96th Street South
Motion by:	Craig Thurmond
Second by:	Richard Carter
Ayes:	Jill Norman, Wade McCaleb, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None


15. **Adjournment**

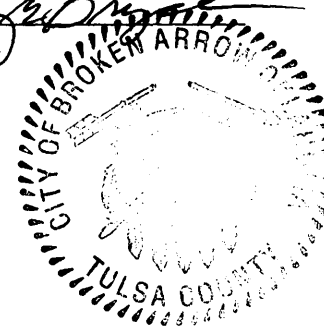
Section Minutes: The meeting adjourned at approximately 7:32 p.m.

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


Mayor

Attest:


City Clerk



Mayor Lester reconvened the regular session of the City Council meeting at approximately 7:20 p.m.

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 on matters concerning the potential purchase and appraisal of real property located in the vicinity of 217th East Avenue and East 96th Street South and taking appropriate action in open session; and a possible land purchase on land to be leased to the Broken Arrow School District at various school sites in the city and taking appropriate action in open session under 25 O.S. 307(B)(3). After the conclusion of the confidential portion of executive session, the City 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 7:32 p.m., and the room s opened for those in attendance.

Mayor Lester said there is one motion.

Motion: Move to authorize City Staff to prepare an agreement for the purchase of real property in the vicinity of 217th East Avenue and East 96th Street South

Motion b Craig Thurmond

Second b Richard Carter

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

Nays: None

15. Adjournment

Section Minutes: The meeting adjourned at approximately 7:32 p.m.

Motion: Move to adjourn

Motion b Wade McCaleb

Second b Jill Norman

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

Nays: None

Attest:

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