

**BROKEN ARROW CITY COUNCIL  
AGENDA  
COUNCIL CHAMBERS  
220 SOUTH FIRST STREET  
BROKEN ARROW, OKLAHOMA 74012  
October 5, 2010**

**6:30 PM**

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
  - A. Approval of the regular meeting minutes of 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)
  - 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**

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

A. A Public Hearing and Presentation of the Proposed Broken Arrow FlightSafety 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

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

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

**8. Citizens' Opportunity 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

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

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)

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

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

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

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

**10. City Manager's Report**

A. None

**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

- 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

**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

**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 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

**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 Council's business*

All cell phones and pagers must be turned OFF or operated SILENTLY during Council 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