

AMENDED
BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
April 17, 2012

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 meeting minutes of April 3, 2012
 - B. Approval of acceptance of the minutes of the Planning Commission meeting of March 22, 2012
 - C. Approval of a Workers' Compensation Court Order for Daniel Haas, a Fire Department employee
 - D. Consideration of, possible approval of and authorization to execute a Contract with Westlaw for access to their legal research database
 - E. Consideration, possible approval, and authorization to execute a Promotional License on City Property allowing the Broken Arrow Chamber of Commerce to host the 2012 Rooster Days Festival in Central Park and Farmers' Market
 - F. Approval of and authorization to execute Amendment No. 1 to Architect-Engineer contract with Tetra Tech, Inc. for design of Oneta Road Improvements from Houston Street to Washington Street
 - G. Notification of Contracts, Change Orders, Quantity Changes and Work Orders with a Value of less than \$25,000 on Engineering and Construction Contracts since the last City Council Meeting
 - H. Approval of and authorization to execute Change Order MQ01 for Elm Place widening from Houston to Kenosha Street
 - I. Approval of bids received and award of the most advantageous bid to C.O.P.S Gun Shop, LLC. for a weapon exchange of Broken Arrow Police Department Sig Sauers weapons for a Glock 22 weapons
 - J. Approval of bids received, award of the lowest responsible bid to Morton Excavating, LLC, and authorization to execute a construction contract for the Hillside Drive Extension Project, Schedule B (the extension of Hillside Drive from 9th Street west to the end of the present public right-of-way which is the western boundary of the former Public Service Company of Oklahoma (PSO) tract
 - K. Waiver of Competitive Bidding, and Approval and Authorization to Purchase Hardware for Data Backup Storage Servers and Redundant Backup Storage Servers pursuant to the State Contract
 - L. Approval of BACP 121, 18.50 acres, 1 lot, Level 2 to Level 3, east of Elm Avenue (161st East Avenue), one-half mile south of Omaha Street (51st Street)

- M. Approval of Acceptance of a General Warranty Deed located approximately 24.75 feet south and 24.75 feet east of the North 37th street & East Omaha Street intersection from 209th Street LLC to the City of Broken Arrow (Sec 32 T19N R15E)(Project #1112)(37th Street Omaha St to Albany St)
- N. Approval of Acceptance of a General Warranty Deed located approximately 1,320 feet south and 24.75 feet west of the North 37th Street & East Omaha Street intersection from New Bedford Park, LLC to the City of Broken Arrow (Sec 31 T19N R15E)(Project #1112)(37th Street Widen Omaha St to Albany St)
- O. Approval of Acceptance of a General Warranty Deed located approximately 2,640 feet south and 24.75 feet west of the North 37th Street & East Omaha Street intersection from New Bedford Park, LLC., to the City of Broken Arrow (Sec 31 T19N R15E)(Project #1112)(37th Street6 Widen Omaha St to Albany St)
- P. Approval of Acceptance of a Temporary Construction Easement located approximately 1,320 feet south and 50 feet west of the North 37th St & East Omaha St intersection from New Bedford Park LL to the City of Broken Arrow (Sec 31 T19N R15 E)(Project #1112)(37th St Widen Omaha St to Albany St)
- Q. Approval of Acceptance of two Temporary Construction Easements located approximately 832 feet south and 50 feet east of the North 37th Street & East Omaha Street intersection from 209th Street, LLC to the City of Broken Arrow (Sec 32 T19N R15E)(Project #1112)(37th Street, Omaha St to Albany St)
- R. Approval of Acceptance of two Temporary Construction Easements located approximately 3,960 feet south and 50 feet west of the North 37th Street & East Omaha Street intersection from New Bedford Park, LLC to the City of Broken Arrow (Sec 31 T19N R15E)(Project #1112)(37th Street Widen Omaha St to Albany St)
- S. Approval of Acceptance of Utility Easements located in a tract of land belonging to The Independent Public School District Number 3 of Tulsa County, located approximately one half mile west of South 9th Street (Lynn Lane Road) and south of New Orleans Street (101st Street South), Broken Arrow (NW/4 Section 26, T18N, R14E) (Tract 1)
- T. Approval of Acceptance of Utility Easements located in a tract of land belonging to The Independent Public School District Number 3 (Broken Arrow Public Schools) of Tulsa County, located approximately one half mile west of South 9th Street (Lynn Lane Road) and south of New Orleans Street (101st Street South), Broken Arrow (NW/4 Section 26, T18N, R14E) (SP 254) (Tract 2)
- U. Approval of Acceptance of Utility Easements located in a tract of land belonging to The Independent Public School District Number 3 of Tulsa County, located approximately one half mile west of South 9th Street (Lynn Lane Road) and south of New Orleans Street (101st Street South), Broken Arrow (NW/4 Section 26, T18N, R14E) (Tract 3)
- V. Approval of Final Acceptance for the Public Improvements for the Park at Mission Hills II, located at 2750 N. 7th Street
- W. Approval of Final Acceptance of the Public Improvement for Jack Graves Scout Reservation located at New Orleans and 193rd East Avenue
- X. Approval of the Claims List

6. Consideration of Items Removed from Consent Agenda

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

- A. Consideration and Approval of Proclamation declaring the week of April 15 - 21, 2012 as Volunteers in Police Service Week, Recognition of Volunteers and Brief Presentation
- B. Consideration, Approval, and Presentation of Proclamation recognizing April 22 - 28, 2012 as National Crime Victims' Rights Week as part of the Broken Arrow Police Department's victims of crime outreach programs

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

9. General Council Business

- A. Approval of BACP 123, 6.51 acres, 1 lot, Level 2 to Level 6, one-quarter mile east of Elm Place (161st East Avenue), north of Kenosha Street (71st Street)
- B. Consideration and possible approval of the Arrow Acres Assessment District Legal Notice of Public Hearing and authorization to schedule a public hearing at the City Council Meeting on May 15, 2012, at 6:30p.m. to hear complaints and objections concerning the apportionment of lots in the Arrow Acres Assessment District; and, direction for the City Clerk to provide notice in accordance with 11 O.S. § 37-220
- C. Consideration and possible approval of Resolution No. 736, a Resolution authorizing the City Attorney to offer \$4,406.79 to Plaintiff Wachovia for full settlement of this matter and confess judgment on behalf of the City without admitting liability in the case of Wachovia Bank of Delaware, Plaintiff, vs. C. Troy Morrow, et al., Defendants v. City of Broken Arrow, Oklahoma, Third Party Defendants, Tulsa County District Court Case Number CJ-2010-691; and directing the City Attorney to prepare and file the necessary documents to effectuate settlement including a Journal Entry incorporating this Resolution for the Court's approval
- D. Consideration and possible approval of Resolution No. 737, a Resolution designating the support of the City of Broken Arrow for favorable treatment to be given for a Low Income Housing Tax Credit Award under the Oklahoma Affordable Housing Tax Credit Program for the Hartford Villas located at 724 N 14th Street in the City of Broken Arrow
- E. Consideration, discussion and possible approval for City Staff to research and make a recommendation on a management consulting firm to assist the City Council in its search for a new City Manager
- F. Consideration, possible approval of and authorization to execute a Consent for Right-of-Entry to Perform Reclamation to the Oklahoma Conservation Commission
- G. Consideration of and possible approval of the re-appointment of Mr. Joe Cook to the Broken Arrow Economic Development Corporation (BAEDC) Board of Directors for a three year term beginning May 2012 and expiring May 2015
- H. Consideration and possible approval of the appointment of Mr. Ted Cundiff to the Broken Arrow Economic Development Corporation for a three year term beginning May 2012 and expiring May 2015
- I. Consideration and possible approval of the re-appointments of Stanley Evetts and Randy Cherry to serve three-year terms on the Board of Adjustment
- J. Consideration and possible approval of the re-appointments of Fred Dorrell and Ricky Jones to serve three-year terms on the Planning Commission
- K. Consideration and possible approval of the nomination of Carolyne Isbell Carr to fill a vacancy on the Planning Commission created by the expiring term of Jack Keeling
- L. Consideration of and possible approval to appoint Mr. Kenneth Schwab, City of Broken Arrow Director of Engineering and Construction, to represent the City of Broken Arrow on the Indian Nations Council of Governments (INCOG) Transportation Policy Committee
- M. Consideration of and possible approval to appoint Mr. Tom Hendrix, City Engineer, to represent the City of Broken Arrow on the Tulsa Urbanized Area Transportation Issues Committee of the Indian Nations Council of Governments (INCOG)

10. City Manager's Report

- A. None

11. Preview Ordinances

- A. None

12. Ordinances

- A. Adoption of Ordinance No. 3201- an ordinance amending the Broken Arrow Code, Chapter 25, Stormwater Management, Article IV, Floodplain Development Requirements, Section 25-304, Basis for establishing the regulatory flood area and specifically addressing the Wagoner County "Flood Insurance Study," and reformatting this Section; providing for severability; repealing all ordinances in conflict therewith; and declaring an emergency
- B. Adoption of Ordinance No. 3202 - An Ordinance amending Chapter 21, Article I, Section 21-3(a) of the Broken Arrow Code pertaining to Use for special events; repealing all ordinances to the contrary; and declaring an emergency

13. Remarks and Inquiries by Governing Body Members

14. Executive Session for the purpose of confidential communications (and taking appropriate action in open session) between the City Council and the City Attorney to discuss the employment of the City Manager, David L. Wooden, and taking appropriate action as necessary in open session, including action on his contract under 25 O.S. § 307 (B)(1); After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

15. Adjournment

NOTICE: *If you wish to speak at this evening’s meeting, please fill out a “Request to Speak” form. The forms are available from the City Clerk’s table or at the entrance door. Please turn in your form prior to the start of the meeting. Topics are limited to items on the currently posted agenda, or relevant business.*

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

Exhibits, petitions, pictures, etc., 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 _____, _____, at _____ a.m./p.m.

City Clerk

**BROKEN ARROW MUNICIPAL AUTHORITY
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
April 17, 2012**

TIME: Immediately following the City Council Meeting which begins at 6:30 p.m.

1. Call to Order

2. Roll Call

3. Consideration of Consent Agenda

- A. Approval of the meeting minutes of April 3, 2012
- B. Approval of bid proposals received, award the most advantageous bid proposal and authorization to execute a Contract with DDK Services for roadside mowing and trimming service at various arterial right-of-ways
- C. Approval of the Claims List

4. General Authority Business

- A. None

5. Executive Session

- A. None

6. Adjournment

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City Clerk

BROKEN ARROW ECONOMIC DEVELOPMENT AUTHORITY

AGENDA

COUNCIL CHAMBERS

220 SOUTH FIRST STREET

BROKEN ARROW, OKLAHOMA 74012

April 17, 2012

TIME: Follows City Council meeting which begins at 6:30 p.m. and the Broken Arrow Municipal Authority meeting which follows City Council

1. Call to Order

2. Roll Call

3. Consent Agenda

A. Approval of the meeting minutes of April 3, 2012

B. Approval of the Claims List

4. Presentations, Status Reports, and General Discussion

A. None

5. General Authority Business Requiring Action

A. None

6. Public Comments Regarding Matters Related to Authority Business But Not On The Agenda (NOTICE: No action may be taken on items that are not on the meeting agenda)

7. Remarks and Inquiries by Authority Members

8. Executive Session

A. None

9. Adjournment

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