

AMENDED AGENDA

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

December 1, 2009

6:30 PM

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
 - A. Approval of regular meeting minutes of November 17, 2009
 - B. Acceptance of minutes of the Planning Commission meeting held November 5, 2009
 - C. Consideration and Approval of a Use Agreement with the Broken Arrow Soccer Club
 - D. Ratify and authorize execution of a Supplemental Agreement with Perkins & Brown Development LLC (S35 T17N R14E) Project: Elm Place Extension FAA Site to Omaha Street
 - E. Approval of bids received and award of the most advantageous bid for a contract with Becco Contractors, Inc., for construction of the Asphalt Concrete Mill and Overlay in Carriage Crossing Subdivision and authorization to execute the contract documents
 - F. Approval of bids received and award the most advantageous bid for a quint fire apparatus
 - G. Acceptance of Public Improvement for Bent Arrow Veterinary Hospital
 - H. Acceptance of Public Improvement Bentley Village III, Backyard Lots 1-8, Block 1 Bently Village I
 - I. Acceptance of Public Improvement for Hartford Park Lots 5-9, Block 1
 - J. Acceptance of Public Improvements Oneta Square
 - K. Acceptance of Public Improvements Sonic at Aspen Commercial Center
 - L. Approval of the Claims List
- 6. Consideration of Items Removed from Consent Agenda**

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

- A. Appeal from denial by the Planning Commission of BACP 105, Comprehensive Plan Amendment, 95.89 acres, changing the Comprehensive Plan designation of Levels 2, 3, 4, 6, and Public Recreation within two areas of Battle Creek, southeast corner of Aspen Avenue (145th East Avenue) and Dearborn Street (41st Street) and east of the northeast corner of Aspen Avenue (145th East Avenue) and the Broken Arrow Expressway (State Highway 51)
- B. General Fund Financial Presentation for the four months ending October 31, 2009

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

9. General Council Business

- A. Consideration of and possible action regarding the position of City Manager, to include direction of staff to schedule interviews, suspension of the search for City Manager, and appointment of David L. Wooden to the position of City Manager
- B. Consideration and Possible Approval of Minor Change Order C01 to Contract Number ST0919, Downtown Intersection Streetscape Improvements, Phase II
- C. Approval of Resolution No. 629, a Resolution of the City of Broken Arrow, Oklahoma in support of and calling for citizens to vote in the upcoming Broken Arrow Public School District Bond Election on December 8, 2009
- D. Approval of appointment of TJ Voskuhl to the Convention and Visitors' Bureau

10. City Manager's Report

- A. Belle Trace II Undeveloped Lots
- B. Membrane Water Plant

11. Preview Ordinances

- A. None

12. Ordinances

- A. Adopt Ordinance No. 3066 amending Section 5.7F Banner, temporary, mobile, inflatable, or promotional business signs of the Zoning Ordinance (No. 2931) of the City of Broken Arrow, Oklahoma, Common Development Review Procedures; repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- B. Adopt Ordinance No. 3067 amending Section 6.4.D, Step 11 (Lapse) of the Zoning Ordinance (No. 2931) of the City of Broken Arrow, Oklahoma, related to the expiration of Planned United Development Approvals; repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- C. Adopt Ordinance No. 3068 adding Section 6.2.D.3(b) Mailed Notice and amending Section 6.2.D.4, of the Zoning Ordinance (No. 2931) of the City of Broken Arrow, Oklahoma, Common Development Review Procedures; repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

13. Remarks and Inquiries by Governing Body Members

14. **Executive Session** for the purpose of confidential communications between the City Council, the Acting City Manager and the City Attorney, for the purpose of conferring on economic development, which may include the transfer of property, financing, or the creation of a proposal to entice a business to locate within the City, for property located near the Creek Turnpike and New Orleans under 25 O.S. § 307(C)(10), and in open session taking any appropriate action as necessary; discussions of a settlement offer involving City of Broken Arrow, Oklahoma v. Helen M. Blankenship, Trustee of the Helen M. Blankenship Living Trust, Tulsa County District Court Case Number CJ-2008-01125 under 25 O.S. § 307(B)(4) and appropriate action in open session; discussing and reviewing prospective candidates for the position of City Manager, under 25 O.S. § 307(B)(1), and in open session taking any appropriate action as necessary, including direction to schedule interviews; and discussing the employment of David L. Wooden and taking appropriate action as necessary in open session, under 25 O.S. § 307 (B)(1). The Council is advised that disclosure will seriously impair the ability of the public body to process the pending litigation in the public interest and public disclosure of the economic development activity would violate the confidentiality of the business. 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:

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 _____, 2009, at _____ a.m./p.m.

City Clerk

**BROKEN ARROW MUNICIPAL AUTHORITY
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
December 1, 2009**

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 minutes of regular meeting of November 17, 2009
 - B. Approval of bids received and award the most advantageous bid to Tulsa New Holland for a Utility Tractor
 - C. Approval of the Claims List
- 4. General Authority Business**
 - A. Broken Arrow Municipal Authority Financial Presentation for the four months ending October 31, 2009
- 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

December 1, 2009

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

1. Call to Order

2. Roll Call

3. Consent Agenda

A. Approval of regular meeting minutes of November 3, 2009 [Meeting of November 17 cancelled]

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

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 Authority's business*

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