

AMENDED AGENDA

**BROKEN ARROW CITY COUNCIL
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
February 21, 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 February 7, 2012
 - B. Acceptance of minutes of the Planning Commission meeting held January 26, 2012
 - C. Approval of and authorization to accept Geico Insurance Company's offer to settle a claim for vehicle loss, declaring the totaled vehicle surplus and releasing it to Geico Insurance Company
 - D. Approval of and authorization to execute a Mutual Aid Agreement between the City of Broken Arrow and the City of Tulsa for fire protection and first response services
 - E. Approval of and authorization to execute an Amended Use Agreement between the City of Broken Arrow and the Broken Arrow Girls Softball League (BAGSL) to use the youth softball fields at Central Park Softball Complex and Arrowhead Park Softball Complex
 - F. Acceptance of a Quitclaim Deed from Flight Safety International for a parcel of land described as Lot 1, Block 1 of Hillside Park (Tiger Hill), a subdivision of the City of Broken Arrow
 - 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 bids received, award of the lowest and best bid to Asbestos Handlers, Inc., and approval of and authorization to execute an asbestos removal and demolition contract for 2301 West Commercial Court
 - I. Approval of BAZ 1872, 0.71 acres, R-1 to R-2, one-eighth mile south of Washington Street (91st Street), one-eighth mile east of Elm Place (161st East Avenue) at 2011 South Cedar Avenue
 - J. Approval of PT10-104, conditional final plat, Spring Creek Plaza, 13.78 acres, 7 lots, CG and R-2 (CH - BAZ 1823, PUD 196, and SP 231), south and east of the southeast corner of Elm Place (161st East Avenue) and Tucson Street (121st Street)
 - K. Approval of PUD 212, Kum & Go 884, 1.39 acres, CG, southeast corner of New Orleans Street (101st Street) and Elm Place (161st East Avenue)

- L. Acceptance of Deed of Dedication located in a tract of land belonging to Gables Excavating Inc., located just west of South 9th Street (Lynn Lane Road) and north of Kenosha Street (71st Street South), Broken Arrow (SE/4 Section 2, T18N, R14E)
 - M. Acceptance of Deed of Dedication located in a tract of land belonging to Indian Nations Council, BSA, located just west of South 9th Street (Lynn Lane Road) and north of Kenosha Street (71st Street South), Broken Arrow (SE/4 Section 2, T18N, R14E)
 - N. Acceptance of Utility Easements located in a tract of land belonging to Auburndale-Halifax Broken Arrow, LLC, located approximately one half mile east of South 9th Street (Lynn Lane Road) and north of Kenosha Street (71st Street South), Broken Arrow (SW/4 Section 1, T18N, R14E)
 - O. Approval of Final Acceptance for the Public Improvements for Quik Trip #0006R located at 2400 North Aspen Avenue
 - P. Approval of the Claims List
- 6. Consideration of Items Removed from Consent Agenda**
- 7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths**
- A. None
- 8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services**
- 9. General Council Business**
- A. Consideration, discussion and possible action on the proposed Kialegee Tribal Town Red Clay Casino at the southwest corner of Florence and Olive to include a clarification of the Council's position and a proposed course of action
 - B. Approval of and authorization to execute an Agreement between the City of Broken Arrow and Independent School District No. 3 of Tulsa County, Oklahoma, also known as Broken Arrow Public Schools, for the provision of three prefabricated metal buildings in exchange for engineering and construction of parking improvements at Central on Main located at 210 North Main
 - C. Consideration of and possible approval to purchase software, training and maintenance from Executime to implement an automated time and attendance solution
 - D. Consideration of and possible approval to appoint Mr. Dave Wooden, City Manager, City of Broken Arrow, to complete Mayor Mike Lester's term as representative to the Indian Nations Council of Governments (INCOG) Board of Directors and General Assembly, and to approve Mayor Mike Lester as the alternate
 - E. Consideration and possible nomination of Michelle Bergwall to fill a vacancy on the Downtown Advisory Board created by the resignation of Kay Long
- 10. City Manager's Report**
- A. None

11. Preview Ordinances

- A. Consideration, discussion and possible action on an Ordinance amending Chapter 24, Water Sewers and Sewage Disposal, Article II, Requirements for Water Service, Section 24-204, Contract for service of the Broken Arrow Code; repealing all ordinances to the contrary; and declaring an emergency
- B. Consideration, discussion and possible action on an Ordinance amending Chapter 24, Water Sewers and Sewage Disposal, Article III, Requirements for Sewer Service, Section 24-302, Sewer system connection and tap fees of the Broken Arrow Code; repealing all ordinances to the contrary; and declaring an emergency

12. Ordinances

- A. Adopt Ordinance No. 3197, an Ordinance closing utility easements in Lots Nine (9) and Ten (10), Block One (1), Castlegate, located approximately one quarter mile north of Washington Street (91st Street) and east of South Garnett Road, an addition to the City of Broken Arrow, Tulsa County, State of Oklahoma; and repealing all ordinances to the contrary
- B. Adopt Ordinance No. 3198, an Ordinance closing utility easements in Lots Four (4) and Eight (8), Block One (1), The Shops at Broken Arrow II, located approximately one quarter mile west of 9th Street (Lynn Lane Road) and one half mile north of Kenosha Street (71st Street), an addition to the City of Broken Arrow, Tulsa County, State of Oklahoma; and repealing all ordinances to the contrary

13. Remarks and Inquiries by Governing Body Members

- 14. **Executive Session** for the purpose of confidential communications, and specifically consideration of an appeal, (and taking appropriate action in open session) between the City Council, the City Manager, and the City Attorney for the purpose of discussing Wachovia Bank and C. Troy Morrow v. City of Broken Arrow, Oklahoma Tulsa County District Court Case Number CJ-2010-691, and Gregory Ray, et al. v. City of Broken Arrow, Oklahoma, Tulsa County District Court Case Number CJ-2006-5934, under 25 O.S. §307(B)(4). In the opinion of the City Attorney, the Council is advised that disclosure will seriously impair the ability of the public body to process the pending litigation in the public interest. 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
February 21, 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 February 7, 2012
- B. Approval of and authorization to execute an Agreement for professional engineering services between the Regional Metropolitan Utility Authority (RMUA) and CH2M Hill Engineers, Inc., for conceptual design services for rehabilitation of the activated sludge train and related facilities at the Haikey Creek Wastewater Treatment Plant
- C. Approval of and authorization to execute Amendment No. 3 to an Agreement for professional engineering services between the Regional Metropolitan Utility Authority (RMUA) and Tetra Tech, Inc. for design of improvements to the Haikey Creek Lift Station - Odor Control and Screening Structure Design
- D. Approval of and authorization to execute Amendment No. 8 to Architect-Engineer Contract between the Broken Arrow Municipal Authority and HDR Engineering, Inc., for assistance during construction for the Water Supply Improvements Project (Project No. 075036)
- E. Approval of bids received and award of the most advantageous bid to Fecon for the purchase of a tree and brush mulcher for the Storm Water Division of the Street and Stormwater Department
- F. 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**

February 21, 2012

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 the meeting minutes of February 7, 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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