

**BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
November 17, 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 3, 2009
 - B. Approval of special joint meeting minutes of City Council and the Broken Arrow School Board on November 5, 2009
 - C. Acceptance of minutes of the Planning Commission meeting on October 22, 2009
 - D. Ratify Proclamation declaring November 12, 2009 as "Optimist Youth Appreciation Day"
 - E. Approval of the 2010 City meeting calendar
 - F. Approval of Executive Pay Plan for Fiscal Year 2010
 - G. Approval of Waivers of Conflicts of Interest between Doerner, Saunders, Daniel and Anderson, L.L.P. and the City of Broken Arrow, Oklahoma
 - H. Approval of a Workers' Compensation Claim Court Order on John Landis, a Street and Stormwater Department employee.
 - I. Approval of a Workers' Compensation Order on Tim Obney a former city employee in the General Services Department
 - J. Approval of Resolution No. 626 authorizing execution of an ODOT agreement for Resurfacing Elm Place from New Orleans to Florence
 - K. Approval of Resolution No. 627 authorizing execution of an ODOT agreement for resurfacing the Intersection of Elm Place and Houston Street
 - L. Approval of Resolution No. 628 authorizing execution of an ODOT agreement for Resurfacing the Intersection of 9th Street and Houston Street
 - M. Approval of Agreement with Public Service Co. of Oklahoma for relocation of an underground primary conductor at the Steeple Chase-Glenn Eagles Storm Sewer Improvements
 - N. Approval of a Clinical Rotation Agreement between the City of Broken Arrow and the Board of Regents of the University of Oklahoma on behalf of Rogers State University
 - O. Consideration and possible approval of a contract with Cox Communications as a Competitive Local Exchange Carrier to Provide 911 Access

- P. Consideration and Possible Approval of Major Quantity Change Order MQ01 to Contract Number ST0529, 9th St. Widening, Albany St. to Omaha St.
- Q. Consideration and Possible Approval of Major Change Order MC01 to Contract Number ST0529, 9th St. Widening, Albany St. to Omaha St.
- R. Approval to reject bids received for the purchase of a fairway mower due to dealer's inability to meet specifications as required and authorize a new solicitation of bids for a fairway mower
- S. Acceptance of a utility easement located in the Northwest Quarter of Section 33, Township 19, Range 14, from One Sierra Place, LLC (S33 T19N R14E) (Project: Sierra Apartments)
- T. Approval to close Washington Street from Date Avenue to Ash Place from 9:00 A.M. on November 19, 2009 to 5:00 A.M. on November 20, 2009 in order to allow movement of equipment for the storm sewer construction project
- U. Acceptance of a drainage easement located in the Northwest Quarter of Section 33, Township 19, Range 14, from One Sierra Place, LLC (S33 T19N R14E) (Project: Sierra Apartments)
- V. Acceptance of a storm water detention easement and sidewalk easement located in the Northeast Quarter of Section 1, Township 18, Range 14, from Sharon Whelpley, Board of Education President (S1 T18N R14E) (Project: School Multipurpose facility)
- W. Acceptance of a utility easement located on Lot 5 Block 1, Amended Plat of New Tulsa Estates from Jose Ramirez (S29 T19N R15E) (Project: New Tulsa Estates Rezoning BAZ1820)
- X. Acceptance of a utility easement located approximately 451.28' West of Aspen Avenue (145th East Ave) on Omaha Street (51st Street) (S33 T19N R14E) (Project: Sierra Apartments)
- Y. Acceptance of a waterline easement located on Lot 2 Block 1, Kenosha Crossing from JT Hamilton Properties, LLC (S1 T18N R14E) (Project: Premier Family Care DN09-137)
- Z. 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)

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

9. General Council Business

- A. Consideration and possible approval of nomination for Chairman of the Conference Center Project Review Committee
- B. Consideration of and Possible Approval of Cooperation Agreement for Relocation of Public Service Company of Oklahoma's Broken Arrow Tower Site
- C. Approval of a 1% Stipend to all City Department Heads
- D. Approval of nomination of TJ Voskuhl to the Convention and Visitors' Bureau

10. City Manager's Report

None

11. Preview Ordinances

- A. An ordinance 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. An ordinance 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.
- C. An ordinance 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.

12. Ordinances

- A. Adoption of Ordinance No. 3059, an ordinance amending Chapter 16.5, Article I, Section 16.5-1 of the Broken Arrow Code pertaining to Closing hours for public parks; 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 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 the Acting City Manager and taking appropriate action as necessary in open session, 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:

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
November 17, 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 regular meeting minutes of November 3, 2009
 - B. Approval of Waivers of Conflicts of Interest between Doerner, Saunders, Daniel & Anderson, L.L.P. and the Broken Arrow Municipal Authority
 - C. Approval of the Claims List
- 4. General Authority Business**
 - A. None
- 5. Executive Session**
 - A. None
- 6. Adjournment**

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