

AMENDED

**BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
September 18, 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 special meeting minutes of August 29, 2012
 - B. Approval of the meeting minutes of September 4, 2012
 - C. Approval of the special meeting minutes of September 13, 2012
 - D. Approval of and authorization to execute a Use Agreement between the City of Broken Arrow and the Broken Arrow Amateur Basketball Association (BAABA) for use of the Central Park Community Center gymnasiums and the Nienhuis Park Community Center gymnasiums for a youth basketball program
 - E. Approval of and authorization to execute a Use Agreement between the City of Broken Arrow and Broken Arrow Seniors, Inc. (BASIS) for use of Main Place located at 1800 S. Main Street for their Senior Program and Senior Nutrition Program
 - F. Approval of bids received and award the most advantageous bid to Vance Country Ford for the purchase of one (1) ½ ton four wheel drive pickup truck for the Development Services Department
 - G. Approval of bids received and award the most advantageous bid to Matthews Ford for the purchase of one (1) ½ ton two wheel drive pickup truck for the Street Department
 - H. Approval of BACP 124, 5.93 acres, 1 lot, Level 4 to Level 6, south and east of the southeast corner of Elm Place (161st East Avenue) and New Orleans Street (101st Street)
 - I. Approval of PT05-106C, Conditional Final Plat of Wellstone II @ Forest Ridge, 11.44 acres, 30 lots, R1 and PUD 66, south side of Kenosha Street (61st Street), one-quarter mile east of Midway Road (257th East Avenue)
 - J. Approval of site ST12-125, Military History Museum, 0.64 acres, DM, southwest corner of Main Street and College Street, at 118 N. Main Street
 - K. Approval of Final Acceptance for the Public Improvement for Lynn Wood Elementary Fire Hydrant and Water Line Extension, located at 1600 West Quincy Street
 - L. Approval of Final Acceptance for the Public Improvement for Rhoades Elementary Fire Hydrant and Water Line Extension located at 320 East Midway Street

- M. Approval of Final Acceptance for the Public Improvement for RDS Manufacturing located at 1800 North Willow Avenue
- N. Approval of 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 (No action can be taken)**
- 9. General Council Business**
 - A. Consideration, discussion and possible appointment of a City Manager and possible direction for the City Attorney to draft an Employment Agreement for consideration at the next City Council Meeting
 - B. Receipt and consideration of bids for and possible action awarding the sale of \$12,000,000 in principal amount of Series 2012 General Obligation Bonds and authorization to execute the pertinent documents related thereto
 - C. Consideration, discussion and possible adoption of Public Improvement Projects to be funded through the Vision 2 sales tax funds
 - D. Consideration and possible approval of Resolution No. 758, a Resolution authorizing the City Attorney to enter into a Final Journal Entry of Judgment in the Application to Judicially Vacate a Portion of Platted Utility Easement and Building Lines in the matter of RDR Family Limited Partnership, a Texas limited partnership v. City of Broken Arrow, Oklahoma, et al. regarding the property described as part of Lot Five (5), Block Two (2), Kenosha Crossing, a Subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, according to the recorded plat thereof
 - E. Consideration, discussion and possible action regarding signage for retaining wall at Tiger Hill Plaza
 - F. Consideration and possible approval of nomination of Tonya Ellison to the Convention and Visitors Bureau
 - G. Consideration and possible approval of nomination to reappointment of Ms. Michelle Guillory, Ms. TJ Voskuhl and Mr. Mark Frie to the Convention and Visitors Bureau
- 10. City Manager's Report**
 - A. None
- 11. Preview Ordinances**
 - A. Consideration, discussion and preview of an ordinance amending Chapter 6, Article II, by revising Section 6-16 Adopted, Section 6-17 Amendments, Section 6-19 Inspection of work, Section 6-21 Construction standards for handicapped parking spaces, Article II-5 Existing Building Code, Section 6-23 Existing Building Code, Adopted, Section 6-24 Amendments, Article IV Electrical Code, Division 2 Technical Regulations, Section 6-66 Adopted of National Electrical Code; amendments, Section 6-70 Receptacle of light fixture loading, Section 6-74 Wall switches required, Section 6-80 Exit lights, Article V Plumbing, Division 1

- Generally, Section 6-94 Plumbing code adopted, Section 6-95 Same Amendments, Article VI Underground outside gas piping, Section 6-111, Application of article, Section 6-112 Amendments, Article VII Mechanical, Section 6-128 Adopted, Section 6-129 Amendments, of the Broken Arrow Code; repealing all ordinances to the contrary; and declaring an emergency.

- B. Consideration, discussion and preview of an ordinance amending Chapter 7, Business Regulations and Licenses, Article XIII, Moving of Buildings or oversized loads, Section 7-320 Oversized load authorization to move; repealing all ordinances to the contrary; and declaring an effective date of November 1, 2010

12. Ordinances

- A. Consideration, discussion and possible adoption of Ordinance No. 3205 - Corrected, an Ordinance amending Chapter 10, Fire Prevention and Protection, Article I, In General, Section 10-1 Life Safety Code Adopted, Penalty for Violation, Section 10-2, Fire Protection Standards - Nonsprinklered Multifamily Residences, Section 10-2.2, Multifamily with Sprinkler System, Article II, Fire Department, Section 10-20, Powers and Duties of Chief, Section 10-22 Requirements for Company Officers, Section 10-27, Specialized services, Article III, Fire Prevention Code, Section 10-51, International Fire Code including adoption of various Appendices adopted by reference and general regulation of explosives, Article IV, Explosives, Section 10-76, Discharge of Class 2 Explosives; Blasting Operations; and specifically providing for the provision of building plans at the time of application for a building permit, providing for the review of all plans pursuant to the International Fire Code and the provision of plans, providing for the registration of contractors, and permits and inspections for automatic fire alarms and fire extinguishing systems; repealing all ordinances to the contrary and declaring an emergency
- B. Consideration, discussion and possible adoption of Ordinance No. 3208 - Corrected, an Ordinance, not to be codified, hereby acknowledging the Arrow Acres Assessment District, Referring to the Assessment Roll as Confirmed, Providing for payment, Levying assessments in accordance with the Roll and declaring liens; and repealing all ordinances to the contrary
- C. Consideration, discussion and possible adoption of Ordinance No. 3209 - Corrected, an ordinance adding Chapter 23, Article I, Section 23-38 of the Broken Arrow Code to address Window Tinting and specifically to prohibit transparent material on a car windshield or side or rear windows that reduces the light transmittance except as provided herein and in accordance with state statute; repealing all ordinances to the contrary; and declaring an emergency
- D. Consideration, discussion, and possible adoption of Ordinance No. 3211, amending Section 25, Stormwater Management, Article IV, Floodplain Development Requirements, Section 25-304, Basis for Establishing the Regulatory Flood Area, and Specifically Adopting Tulsa County, Oklahoma and Incorporated Areas Flood Insurance Study (FIS) and Digital Flood Insurance Rate Map (DFIRM)
- E. Consideration and possible adoption of Ordinance Number 3212, an ordinance providing for the issuance of \$12,000,000 General Obligation Bonds, Series 2012 by the City of Broken Arrow, Oklahoma, authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for registration thereof; providing levy of an annual tax for the payment of principal and interest on the same; and fixing other details of the issue and declaring an emergency

13. Remarks and Inquiries by Governing Body Members

14. Executive Session for the purpose of confidential communications, and specifically to discuss settlement offers, (and taking appropriate action, including authority to settle, in open session) between the City Council, the Acting City Manager, and the City Attorney for the purpose of discussing *Gregory Duane Stout v. City of Broken Arrow*, Workers' Compensation Court Case Number 2011-13961R, and *Genie Tilley v City of Broken Arrow, Oklahoma*, Wagoner County District Court Case Number CJ-2011-266 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
September 18, 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 September 4, 2012
- B. Approval of and authorization to execute a letter to the Oklahoma Department of Environmental Quality (ODEQ) regarding use of a portion of the Water Supply Improvements Drinking Water State Revolving Fund (DWSRF) loan for the Tulsa Water Connection
- C. Ratification of Regional Municipal Utility Authority Amendment 1 to an Architect/Engineering Agreement for Haikey Creek Waste Water Treatment Plant Improvements to the Disinfection Facilities
- D. Approval of bids received and award the most advantageous bid for the purchase of three (3) ½ ton two wheel drive pickups for Meter Reading and Storm Water divisions
- E. Approval of 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**

September 18, 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. Consideration of Consent Agenda

A. Approval of the meeting minutes of September 4, 2012

B. Approval of Claims List

4. General Authority Business

A. None

5. Executive Session

A. None

6. Adjournment

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