

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

- A. **Public Hearing:** A public hearing on improvements to the stormwater systems of SteepleChase Farms and Amended Glen Eagles Subdivisions, including a review of written protests and consideration of oral protests, and Council determination of the sufficiency or insufficiency of the same

**Section Minutes:** City Attorney Beth Anne Wilkening gave background on the item consistent with the fact sheet included in the Agenda packet. She further noted the City Clerk has received four letters of protest for Steeplechase Farms/Amended Glen Eagles Assessment District for stormwater improvements.

The Mayor announced the public hearing and asked if anyone was present to speak during the public hearing. Ms. Wilkening recommended that the Mayor announce the public hearing open.

The Mayor declared the public hearing open and asked if anyone present wished to speak on the item.

Jacquelyn Jacobs, 19822 E. 40th Street, in Steeplechase Farms, requested clarification on the \$750 'cost per property owner'. She noted most lots are listed at .3-.4% of the total and hers is listed at .67% of the total so her costs will be double. Ms. Wilkening explained the apportionment is set by State Statute to be assessed by the size of the lot. Ms. Jacobs also noted the cost estimate for the project is \$214,260, and inquired if the law allows limits on the amount of costs to be borne by property owners. Ms. Wilkening explained the City will be competitively bidding the project and added that the cost of materials might increase before the job is completed. Ms. Wilkening assured Ms. Jacobs the City will work to have the project completed as quickly and as economically as possible. Ms. Jacobs also noted the City previously did work on 41<sup>st</sup> Street to fill in the natural drainage at the entrance to their addition and this resulted in ice problems in winter and mosquito problems in summer. Assistant City Manager, Dave Wooden, responded noting the natural drainage and the entrances will be taken care of at the same time as the overall project.

Tamara O'Mara, 3814 S. 106<sup>th</sup> E. Avenue, spoke regarding her concerns about a proposed pipe that would be laid through her lot and said she was concerned about damage. Dave Wooden stated the area for the pipe should be far enough away so as not to damage her property. He noted pictures will be taken before and after the project is completed and if there is a determination of damage to her property the City is required to take care of that. Ms. O'Mara said that prior drainage work created churning water that had exposed utility lines. Mr. Wooden stated once the pipe is buried and water diverted as part of the project, the wash out area will be filled in.

Mayor McCaleb asked if there were any other speakers. Mayor McCaleb called 3 times for any other citizens wishing to speak. There being no other requests to speak, the Mayor declared the public hearing closed and said he would entertain a motion regarding the matter.

Ms. Wilkening said that at this time, she recommended that Council move to find the protest letters sufficient or insufficient, and said that further resolutions and ordinances would be presented as required by statute at the next Council meeting.

<b>Motion:</b>	<b>Move to find the protests of the improvements to the stormwater systems of Steeplechase Farms and Amended Glen Eagles to be insufficient.</b>
<b>Motion by:</b>	Mike Lester
<b>Second by:</b>	Philip Tucker
<b>Ayes:</b>	Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb
<b>Nays:</b>	None

8. **Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services (approximately 7:00 p.m.)**

**Section Minutes:** Kate Buster, 220 W. Edgewater, on behalf of Friends of Broken Arrow Neighbors thanked everyone for the great success of the 'Wine, Eats & Easels' event held on October 17, 2008 at the new Farmer's Market Pavilion. She noted there were over 1200 people present and as yet they don't have a total on revenue raised.

9. **General Council Business**

- A. Consideration and possible approval of PUD 193 and BAZ 1818, Coach Port, 17.14 acres, A-1 to IL, one-half mile south of Washington Street (91st Street), one-half mile west of Evans Road (225th East Avenue)

**Item Minutes:** City Planning Department Manager, Farhad Daroga, presented the item consistent with the fact sheet provided in the agenda packet.

<b>Motion:</b>	<b>Move to approve PUD 193 and BAZ 1818 as recommended by the Planning Commission and Staff and in accordance with the revised design statement submitted November 10, 2008.</b>
<b>Motion by:</b>	Mike Lester
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb
<b>Nays:</b>	None