

12/2/08

RESOLUTION NO. 556

A RESOLUTION DECLARING THAT THE PROTESTS TO THE IMPROVEMENTS TO THE STORMWATER SYSTEMS OF STEEPLECHASE FARMS AND AMENDED GLEN EAGLES WERE INSUFFICIENT, EXPRESSING THE DETERMINATION OF THE COUNCIL TO PROCEED WITH THE IMPROVEMENTS AND REQUIRING THE ENGINEER TO SUBMIT AND FILE DETAILED PLANS, PROFILES, SPECIFICATIONS, AND ESTIMATES OF PROBABLE COST.

WHEREAS, on February 11, 2008, the Broken Arrow City Council considered improvements to the stormwater systems of Steeplechase Farms and Amended Glen Eagles Subdivisions; and

WHEREAS, these improvements are necessary to bring the systems, which include stormwater sewer lines, into compliance with City of Broken Arrow codes, regulations, and ordinances; and

WHEREAS, these improvements are also necessary to bring these subdivisions into compliance with 100-year storm requirements and to protect the health, safety, and welfare of the citizens who reside in these areas; and

WHEREAS, the Council voted to upgrade the Steeplechase Farms stormwater system on the eastern side of the subdivision near 199th East Avenue and East 39th Street and on the western side of the subdivision on 196th East Avenue; and

WHEREAS, the Council also discussed funding options, which included payment by the property owners of the actual cost of materials and the City providing the labor and equipment to construct the improvements; and

WHEREAS, the Municipal Engineer prepared preliminary plans, a preliminary estimate and an assessment plat for improvements to the stormwater systems of Steeplechase Farms and Amended Glen Eagles Subdivisions; and

WHEREAS, these documents were filed with the Municipal Clerk on October 6, 2008; and

WHEREAS, the governing body examined these plans and found them satisfactory and adopted and approved them by Resolution Number 547; and

WHEREAS, on November 18, 2008, the Broken Arrow City Council held a public hearing on the improvements to these stormwater systems; and

WHEREAS, notice was given by the Broken Arrow Municipal Clerk in accordance with State Statute; and

WHEREAS, in advance of this hearing, four written protests were received by the City Clerk; and

WHEREAS, following the public hearing on these improvements, the City Council found that the protests were insufficient; and

WHEREAS, it is now proper for the Council to formally declare the insufficiency of the protests through this Resolution, express its determination to proceed with the improvements to the stormwater systems of SteepleChase Farms and Amended Glen Eagles, and require the City Engineer to submit and file detailed plans, profiles, specifications, and estimates of probable cost.

NOW THEREFORE BE IT RESOLVED THAT improvements to the stormwater systems of Steeplechase Farms and Amended Glen Eagles Subdivisions, which include stormwater sewer lines, remain necessary to bring them into compliance with City of Broken Arrow codes, regulations, and ordinances; and

NOW THEREFORE BE IT FURTHER RESOLVED THAT improvements to the stormwater systems are necessary to bring these subdivisions into compliance with 100-year storm requirements; and

NOW THEREFORE BE IT FURTHER RESOLVED THAT these improvements are for the overall health, safety, and welfare of the citizens who reside in these areas; and

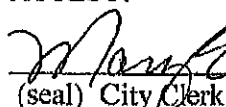
NOW THEREFORE BE IT FURTHER RESOLVED THAT the four protests filed by residents of the SteepleChase Farms and Amended Glen Eagles subdivisions are hereby declared to be insufficient; and

NOW THEREFORE BE IT FURTHER RESOLVED THAT it is hereby determined by the City Council to proceed with the improvements to the stormwater systems of the SteepleChase Farms and Amended Glen Eagles subdivisions; and

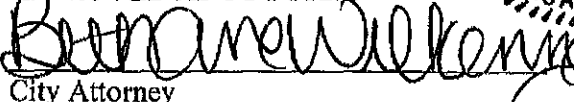
NOW THEREFORE BE IT FURTHER RESOLVED THAT the City Engineer is hereby directed to submit and file detailed plans, profiles, specifications, and estimates of probable cost for the subject improvements.

ADOPTED BY THE BROKEN ARROW CITY COUNCIL this 2nd day of December, 2008.

ATTEST:


(seal) City Clerk

APPROVED AS TO FORM:


City Attorney

