

**BROKEN ARROW CITY COUNCIL  
MINUTES  
COUNCIL CHAMBERS  
220 SOUTH FIRST STREET  
BROKEN ARROW, OKLAHOMA 74012  
April 17, 2012**

**6:30 PM**

**1. Call to Order**

**Section Minutes:** Mayor Lester called the meeting to order at approximately 6:30 p.m.

**2. Invocation**

**Section Minutes:** There was no one present to deliver an Invocation.

**3. Roll Call**

<b>Present:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Absent:</b>	None

**4. Pledge of Allegiance to the Flag**

**Section Minutes:** Councilor Norman led the Pledge of Allegiance to the Flag.

**5. Consideration of Consent Agenda**

- A. Approval of the meeting minutes of April 3, 2012
- B. Approval of acceptance of the minutes of the Planning Commission meeting of March 22, 2012
- C. Approval of a Workers' Compensation Court Order for Daniel Haas, a Fire Department employee
- D. Consideration of, possible approval of and authorization to execute a Contract with Westlaw for access to their legal research database
- E. Consideration, possible approval, and authorization to execute a Promotional License on City Property allowing the Broken Arrow Chamber of Commerce to host the 2012 Rooster Days Festival in Central Park and Farmers' Market
- F. Approval of and authorization to execute Amendment No. 1 to Architect-Engineer contract with Tetra Tech, Inc. for design of Oneta Road Improvements from Houston Street to Washington Street
- 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 and authorization to execute Change Order MQ01 for Elm Place widening from Houston to Kenosha Street
- I. Approval of bids received and award of the most advantageous bid to C.O.P.S Gun Shop, LLC. for a weapon exchange of Broken Arrow Police Department Sig Sauers weapons for a Glock 22 weapons
- J. Approval of bids received, award of the lowest responsible bid to Morton Excavating, LLC, and authorization to execute a construction contract for the Hillside Drive Extension Project, Schedule B (the extension of Hillside Drive from 9th Street west to the end of the present public right-of-way which is the western boundary of the former Public Service Company of Oklahoma (PSO) tract

- K. Waiver of Competitive Bidding, and Approval and Authorization to Purchase Hardware for Data Backup Storage Servers and Redundant Backup Storage Servers pursuant to the State Contract
- L. Approval of BACP 121, 18.50 acres, 1 lot, Level 2 to Level 3, east of Elm Avenue (161st East Avenue), one-half mile south of Omaha Street (51st Street)
- M. Approval of Acceptance of a General Warranty Deed located approximately 24.75 feet south and 24.75 feet east of the North 37th street & East Omaha Street intersection from 209th Street LLC to the City of Broken Arrow (Sec 32 T19N R15E)(Project #1112)(37th Street Omaha St to Albany St)
- N. Approval of Acceptance of a General Warranty Deed located approximately 1,320 feet south and 24.75 feet west of the North 37th Street & East Omaha Street intersection from New Bedford Park, LLC to the City of Broken Arrow (Sec 31 T19N R15E)(Project #1112)(37th Street Widen Omaha St to Albany St)
- O. Approval of Acceptance of a General Warranty Deed located approximately 2,640 feet south and 24.75 feet west of the North 37th Street & East Omaha Street intersection from New Bedford Park, LLC., to the City of Broken Arrow (Sec 31 T19N R15E)(Project #1112)(37th Street6 Widen Omaha St to Albany St)
- P. Approval of Acceptance of a Temporary Construction Easement located approximately 1,320 feet south and 50 feet west of the North 37th St & East Omaha St intersection from New Bedford Park LL to the City of Broken Arrow (Sec 31 T19N R15 E)(Project #1112)(37th St Widen Omaha St to Albany St)
- Q. Approval of Acceptance of two Temporary Construction Easements located approximately 832 feet south and 50 feet east of the North 37th Street & East Omaha Street intersection from 209th Street, LLC to the City of Broken Arrow (Sec 32 T19N R15E)(Project #1112)(37th Street, Omaha St to Albany St)
- R. Approval of Acceptance of two Temporary Construction Easements located approximately 3,960 feet south and 50 feet west of the North 37th Street & East Omaha Street intersection from New Bedford Park, LLC to the City of Broken Arrow (Sec 31 T19N R15E)(Project #1112)(37th Street Widen Omaha St to Albany St)
- S. Approval of Acceptance of Utility Easements located in a tract of land belonging to The Independent Public School District Number 3 of Tulsa County, located approximately one half mile west of South 9th Street (Lynn Lane Road) and south of New Orleans Street (101st Street South), Broken Arrow (NW/4 Section 26, T18N, R14E) (Tract 1)
- T. Approval of Acceptance of Utility Easements located in a tract of land belonging to The Independent Public School District Number 3 (Broken Arrow Public Schools) of Tulsa County, located approximately one half mile west of South 9th Street (Lynn Lane Road) and south of New Orleans Street (101st Street South), Broken Arrow (NW/4 Section 26, T18N, R14E) (SP 254) (Tract 2)
- U. Approval of Acceptance of Utility Easements located in a tract of land belonging to The Independent Public School District Number 3 of Tulsa County, located approximately one half mile west of South 9th Street (Lynn Lane Road) and south of New Orleans Street (101st Street South), Broken Arrow (NW/4 Section 26, T18N, R14E) (Tract 3)
- V. Approval of Final Acceptance for the Public Improvements for the Park at Mission Hills II, located at 2750 N. 7th Street
- W. Approval of Final Acceptance of the Public Improvement for Jack Graves Scout Reservation located at New Orleans and 193rd East Avenue
- X. Approval of the Claims List

<b>Motion:</b>	<b>Move to approve the Consent Agenda except for Item 5E</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

**6. Consideration of Items Removed from Consent Agenda**

5E. Consideration, possible approval, and authorization to execute a Promotional License on City Property allowing the Broken Arrow Chamber of Commerce to host the 2012 Rooster Days Festival in Central Park and Farmers' Market

**Item Minutes:** Councilor Parks expressed concern regarding low-point beer sales at Rooster Days and said that he wanted to be sure that Rooster Days would remain a family friendly event. City Attorney, Ms. Beth Anne Wilkening, stated that the Broken Arrow Chamber of Commerce requested the ability have low-point beer sales in a restricted and supervised area at the Farmers Market Pavilion. She said that this location is well away and separate from Central Park where the rides and children's activities would be located. Ms. Wilkening explained that the entertainment at the Farmers Market Pavilion would be oriented toward the 40-something age group and that the Chamber would hire off duty police officers for the event, the beer sales area would be roped off and IDs would be checked.

Ms. Wilkening added that the license agreement seemed like a good way to approach low-point beer sales because the matter could be reviewed to determine how well it worked. Councilor Norman asked if the City had an ordinance to protect citizens from things like this. Ms. Wilkening explained that the current ordinance is being reviewed for updating so this is a good time to have a possible exemption. She said that the low-point beer beverage ordinance originally did not permit low-point beer on City property but with the opening of Bass Pro and the restaurants, there was an exception created to allow for sales. She said that in addition, the Broken Arrow Historical Museum was on City property and they often had events such as wedding receptions so an exception existed there also, and that the same scenario applied to the Battle Creek Golf Course where low-point beer can be sold.

Ms. Wilkening said the goal is to balance needs as the City develops. Councilor Norman asked if this same Council process will be necessary every time a new event takes place downtown or as change comes to downtown as it developed as an entertainment district. Ms. Wilkening said that there is an exemption for entertainment districts, and that most of those situations relate to businesses which have a license to serve alcohol from the Able Commission and the County.

Councilor Parks said he was not opposed and that he just wanted to be sure that it was done right. He said he would like feedback from the Police Department after the event was over to hear if all went well or if there were any problems.

<b>Motion:</b>	<b>Move to approve and authorize execution of a Promotional License on City Property allowing the Broken Arrow Chamber of Commerce to host the 2012 Rooster Days Festival in Central Park and Farmers' Market</b>
<b>Motion by:</b>	Johnnie Parks
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

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

A. Consideration and Approval of Proclamation declaring the week of April 15 - 21, 2012 as Volunteers in Police Service Week, Recognition of Volunteers and Brief Presentation

**Item Minutes:** Mr. Gale stated that the week of April 15 through 21, 2012 is National Volunteer Appreciation Week, and the Broken Arrow Police Department would like to recognize the "Volunteers in Police Service" for the assistance they provide to the Broken Arrow Police Department and the City of Broken Arrow. He said that these volunteers have donated more than 9,823.00 hours to the Police Department and the City of Broken Arrow which translates into a savings of \$209,829.75 for the City of Broken Arrow.

Mayor Lester read the Proclamation aloud and presented it to Lisa Ford, Police Department Volunteer Coordinator.

<b>Motion:</b>	<b>Move to approve Proclamation declaring the week of April 15 - 21, 2012 as Volunteers in Police Service Week, Recognition of Volunteers and Brief Presentation</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- B. Consideration, Approval, and Presentation of Proclamation recognizing April 22 - 28, 2012 as National Crime Victims' Rights Week as part of the Broken Arrow Police Department's victims of crime outreach programs

**Item Minutes:** Mr. Gale stated that the week of April 22 - 28, 2012 is National Crime Victims' Rights Week, and the Broken Arrow Police Department requests that Council consider a Proclamation recognizing this event. Mayor Lester read the Proclamation aloud and presented it to Amanda Bradley, Divert Counselor for the Police Department program which is grant funded.

<b>Motion:</b>	<b>Move to approve Proclamation recognizing April 22 - 28, 2012 as National Crime Victims' Rights Week as part of the Broken Arrow Police Department's victims of crime outreach programs</b>
<b>Motion by:</b>	Johnnie Parks
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

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

**Section Minutes:** There were no requests to speak.

**9. General Council Business**

- A. Approval of BACP 123, 6.51 acres, 1 lot, Level 2 to Level 6, one-quarter mile east of Elm Place (161st East Avenue), north of Kenosha Street (71st Street)

**Item Minutes:** City Planner, Mr. Brent Murphy stated that the applicant requested that BACP 123 be continued until the May 15, 2012 meeting.

<b>Motion:</b>	<b>Move to approve continue BACP 123 until the City Council meeting of May 15, 2012</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- B. Consideration and possible approval of the Arrow Acres Assessment District Legal Notice of Public Hearing and authorization to schedule a public hearing at the City Council Meeting on May 15, 2012, at 6:30p.m. to hear complaints and objections concerning the apportionment of lots in the Arrow Acres Assessment District; and, direction for the City Clerk to provide notice in accordance with 11 O.S. § 37-220

**Item Minutes:** Ms. Wilkening said that this item requests the City Council to authorize scheduling a public hearing to hear complaints and objections concerning the apportionment of lots in the Arrow Acres Assessment District; and also requests direction for the City Clerk to provide notice. Ms. Wilkening

added that the attached Legal Notice of Public Hearing will be mailed to all individuals identified on the attached Assessment Roll and also published in accordance with the provisions of 11 O.S. § 37-220; and that it sets the Assessment Roll for public hearing on May 15, 2012 at 6:30 p.m., and identifies the general location of the proposed improvements.

<b>Motion:</b>	<b>Move to approve the Arrow Acres Assessment District Legal Notice of Public Hearing and authorize the scheduling of a public hearing at the City Council Meeting on May 15, 2012, at 6:30p.m. to hear complaints and objections concerning the apportionment of lots in the Arrow Acres Assessment District; and, direct the City Clerk to provide notice in accordance with 11 O.S. § 37-220</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- C. Consideration and possible approval of Resolution No. 736, a Resolution authorizing the City Attorney to offer \$4,406.79 to Plaintiff Wachovia for full settlement of this matter and confess judgment on behalf of the City without admitting liability in the case of Wachovia Bank of Delaware, Plaintiff, vs. C. Troy Morrow, et al., Defendants v. City of Broken Arrow, Oklahoma, Third Party Defendants, Tulsa County District Court Case Number CJ-2010-691; and directing the City Attorney to prepare and file the necessary documents to effectuate settlement including a Journal Entry incorporating this Resolution for the Court's approval

**Item Minutes:** Ms. Wilkening said that this had been a complicated case and that the attached Resolution authorizes the Legal Department to offer Plaintiff Wachovia \$4,406.79 to settle this matter in full authorizes the City Attorney to prepare and file documentation necessary to effectuate the terms of the settlement.

<b>Motion:</b>	<b>Move to approve Resolution No. 736</b>
<b>Motion by:</b>	Johnnie Parks
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- D. Consideration and possible approval of Resolution No. 737, a Resolution designating the support of the City of Broken Arrow for favorable treatment to be given for a Low Income Housing Tax Credit Award under the Oklahoma Affordable Housing Tax Credit Program for the Hartford Villas located at 724 N 14th Street in the City of Broken Arrow

**Item Minutes:** Mr. Michael Skates, Director of Development Services, stated that Hartford Villas would be financed in part with Low Income Housing Tax Credits (Tax Credits), and he explained that the tax credits are administered by the Oklahoma Housing Finance Agency (OHFA). He said that as part of the Tax Credit application process, the OHFA requires a Resolution of Support from the City where the development will be constructed.

<b>Motion:</b>	<b>Move to approve Resolution No. 737</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Johnnie Parks
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- E. Consideration, discussion and possible approval for City Staff to research and make a recommendation on a management consulting firm to assist the City Council in its search for a new City Manager

**Item Minutes:** Mr. Gale stated that the City has used an executive search firm in the past to facilitate the process of finding candidates to fill positions. Mr. Gale presented the information as set forth in the

Fact Sheet provided in the Agenda Packet.

<b>Motion:</b>	<b>Move to authorize the City Staff to research and make a recommendation on a management consulting firm to assist the City Council in its search for a new City Manager</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Craig Thurmond
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- F. Consideration, possible approval of and authorization to execute a Consent for Right-of-Entry to Perform Reclamation to the Oklahoma Conservation Commission

**Item Minutes:** Ms. Wilkening stated that the Oklahoma Conservation Commission is currently in the process of ameliorating the adverse effects of past coal mining practices, and towards that end they are requesting the City's consent to enter property owned by the City of Broken Arrow located in Section 19, Township 18 North, Range 15 East which is north of Northeastern State University's Broken Arrow campus. She added that after reclaiming the site, the Commission will plant a permanent vegetative cover and maintain it for no longer than 2 years.

<b>Motion:</b>	<b>Move to approve and authorize execution of a Consent for Right-of-Entry to Perform Reclamation to the Oklahoma Conservation Commission</b>
<b>Motion by:</b>	Johnnie Parks
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- G. Consideration of and possible approval of the re-appointment of Mr. Joe Cook to the Broken Arrow Economic Development Corporation (BAEDC) Board of Directors for a three year term beginning May 2012 and expiring May 2015

**Item Minutes:** Mr. Gale stated that the City Attorney said this should be an appointment and not a reappointment. Mr. Gale said that the nomination of Mr. Cook was approved at the City Council meeting of April 3, 2012, and this item requests Council's approval of Mr. Cook's appointment to the Broken Arrow Economic Development Corporation (BAEDC) Board of Directors for a three year term beginning May 2012 and expiring May 2015.

<b>Motion:</b>	<b>Move to approve appointment of Mr. Joe Cook to the Broken Arrow Economic Development Corporation (BAEDC) Board of Directors for a three year term beginning May 2012 and expiring May 2015</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- H. Consideration and possible approval of the appointment of Mr. Ted Cundiff to the Broken Arrow Economic Development Corporation for a three year term beginning May 2012 and expiring May 2015

**Item Minutes:** Mr. Gale said that the nomination of Mr. Cundiff was approved at the April 3, 2012, and this item requests Council's approval of Mr. Cundiff's appointment to the Broken Arrow Economic Development Corporation (BAEDC) Board of Directors for a three year term beginning May 2012 and expiring May 2015.

<b>Motion:</b>	<b>Move to approve appointment of Mr. Ted Cundiff to the Broken Arrow Economic Development Corporation (BAEDC) Board of Directors for a three year term beginning May 2012 and expiring May 2015</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- I. Consideration and possible approval of the re-appointments of Stanley Evetts and Randy Cherry to serve three-year terms on the Board of Adjustment

**Item Minutes:** Mr. Gale said that the nominations of Mr. Evetts and Mr. Cherry were approved at the April 3, 2012 City Council meeting, and this item requests Council's approval of Mr. Evetts' and Mr. Cherry's appointments to the Board of Adjustment each for three year terms expiring on May 7, 2012.

<b>Motion:</b>	<b>Move to approve re-appointments of Stanley Evetts and Randy Cherry to serve three-year terms on the Board of Adjustment</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- J. Consideration and possible approval of the re-appointments of Fred Dorrell and Ricky Jones to serve three-year terms on the Planning Commission

**Item Minutes:** Mr. Gale stated that the nominations of Mr. Dorrell and Mr. Jones were approved at the City Council meeting of April 3, 2012, and this item requests approval of Mr. Dorrell's and Mr. Jones' appointments to the Planning Commission each for three-year terms expiring the first Monday in May 2015.

<b>Motion:</b>	<b>Move to approve approval of the appointments of Fred Dorrell and Ricky Jones to serve three-year terms on the Planning Commission</b>
<b>Motion by:</b>	Johnnie Parks
<b>Second by:</b>	Craig Thurmond
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- K. Consideration and possible approval of the nomination of Carolyne Isbell Carr to fill a vacancy on the Planning Commission created by the expiring term of Jack Keeling

**Item Minutes:** Mr. Gale stated that the this item requests Council approval of the nomination of Ms. Carr to fill a vacancy on the Planning Commission created by the expiring term of Mr. Jack Keeling, and that Mr. Keeling had indicated that he would not be available to serve on the Commission when his present term expires on May 7, 2012. Mr. Gale added that this position is nominated by the City Councilperson from Ward 3 and that is Mayor Lester's Ward; he added that the Mayor would like to nominate Ms. Carr.

<b>Motion:</b>	<b>Move to approve the nomination of Carolyne Isbell Carr to fill a vacancy on the Planning Commission created by the expiring term of Jack Keeling</b>
<b>Motion by:</b>	Mike Lester
<b>Second by:</b>	Craig Thurmond
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- L. Consideration of and possible approval to appoint Mr. Kenneth Schwab, City of Broken Arrow Director of Engineering and Construction, to represent the City of Broken Arrow on the Indian Nations Council of Governments (INCOG) Transportation Policy Committee

**Item Minutes:** Mr. Gale stated that due to scheduling conflicts, the Mayor and City Manager are unable to attend the INCOG Transportation Policy Committee meetings and request that Mr. Kenneth Schwab, City Director of Engineering and Construction, be appointed to represent the City on this Committee.

<b>Motion:</b>	<b>Move to approve Mr. Kenneth Schwab, City of Broken Arrow Director of Engineering and Construction, to represent the City of Broken Arrow on the Indian Nations Council of Governments (INCOG) Transportation Policy Committee</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- M. Consideration of and possible approval to appoint Mr. Tom Hendrix, City Engineer, to represent the City of Broken Arrow on the Tulsa Urbanized Area Transportation Issues Committee of the Indian Nations Council of Governments (INCOG)

**Item Minutes:** Mr. Gale stated that due to scheduling conflicts, the Mayor and City Manager are unable to attend the INCOG Transportation Policy Committee meetings; and request that Mr. Kenneth Schwab, City Director of Engineering and Construction, be appointed to represent the City on this Committee.

<b>Motion:</b>	<b>Move to approve Mr. Tom Hendrix, City Engineer to represent the City of Broken Arrow on the Indian Nations Council of Governments (INCOG) Transportation Policy Committee</b>
<b>Motion by:</b>	Jill Norman
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

**10. City Manager’s Report**

**Section Minutes:** There was no City Manager's Report.

**11. Preview Ordinances**

**Section Minutes:** There were no Preview Ordinances. No action was required or taken.

**12. Ordinances**

- A. Adoption of Ordinance No. 3201- an ordinance amending the Broken Arrow Code, Chapter 25, Stormwater Management, Article IV, Floodplain Development Requirements, Section 25-304, Basis for establishing the regulatory flood area and specifically addressing the Wagoner County "Flood Insurance Study," and reformatting this Section; providing for severability; repealing all ordinances in conflict therewith; and declaring an emergency

**Item Minutes:** Ms. Wilkening explained that all communities within Wagoner County participating in the National Flood Insurance Program (NFIP) are required to adopt the revised floodplain boundaries and floodplain study by the effective date of April 17, 2012 in order to remain a participant in the NFIP. She said that the preview ordinance was presented to the Broken Arrow City Council at the March 20, 2012 meeting, and that this item requests adoption of the revision to the City of Broken Arrow Code Chapter 25, Section 25-304(a)(1) for adopting the Wagoner County FIS and DFIRMS.

<b>Motion:</b>	<b>Move to adopt Ordinance No. 3201</b>
<b>Motion by:</b>	Johnnie Parks
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

<b>Motion:</b>	<b>Move to approve the Emergency Clause for Ordinance No. 3201</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Craig Thurmond
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

- B. Adoption of Ordinance No. 3202 - An Ordinance amending Chapter 21, Article I, Section 21-3(a) of the Broken Arrow Code pertaining to Use for special events; repealing all ordinances to the contrary; and declaring an emergency

**Item Minutes:** Ms. Wilkening stated that this ordinance was presented for preview at the April 3, 2012 Council meeting. She said that currently this amendment would allow the City Manager to review and approve the closure of the streets as it applies to special events and this will expedite the process.

<b>Motion:</b>	<b>Move to adopt Ordinance 3202</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

<b>Motion:</b>	<b>Move to approve the Emergency Clause for Ordinance 3202</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Johnnie Parks
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

**13. Remarks and Inquiries by Governing Body Members**

**Section Minutes:** There were no remarks or inquiries.

At approximately 7:06 p.m., Mayor Lester asked for a motion to recess in order to enter into the Broken Arrow Municipal Authority meeting and the Broken Arrow Economic Development Authority meeting.

<b>Motion:</b>	Move to recess in order to enter into the Broken Arrow Municipal Authority meeting and the Broken Economic Development Authority meeting
<b>Motion by:</b>	Jill Norman
<b>Second by:</b>	Johnnie Parks
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

Mayor Lester reconvened the regular session of the City Council at approximately 7:09 p.m. The Mayor asked for a brief recess to clear the room prior to entering into Executive Session.

<b>Motion:</b>	Move to take a brief recess prior to entering into Executive Session
<b>Motion by:</b>	Johnnie Parks
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

Mayor Lester reconvened the regular session at approximately 7:15 p.m.

<b>Motion:</b>	Move to enter into Executive Session
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

14. **Executive Session** for the purpose of confidential communications (and taking appropriate action in open session) between the City Council and the City Attorney to discuss the employment of the City Manager, David L. Wooden, and taking appropriate action as necessary in open session, including action on his contract 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.

Mayor Lester reconvened the regular session of the City Council at approximately 8:00 p.m. and stated that Council was now in open session. The room was opened for those in attendance.

The Mayor asked if there were any motions.

<b>Motion:</b>	<b>Move to</b> place the City Manager on Administrative Leave effective at noon on April 18, 2012, and to authorize the City Attorney to initiate discussions with the City Manager regarding termination of his contract
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

15. **Adjournment**

**Section Minutes:** The meeting adjourned at approximately 8:01 p.m.

<b>Motion:</b>	<b>Move to adjourn</b>
<b>Motion by:</b>	Johnnie Parks
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
<b>Nays:</b>	None

Attest:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk