

# BROKEN ARROW CITY COUNCIL MINUTES

June 17, 2008

The Broken Arrow City Council met in regular session in the City Hall Council Chambers on Tuesday, June 17, 2008, at 6:30 p.m.

## 1. Call to Order

**Section Minutes:** Mayor McCaleb called the meeting to order at the noted time of 6:30 p.m.

## 2. Invocation

**Section Minutes:** Pastor Allison of Northside Free Will Baptist Church delivered the Invocation.

## 3. Roll Call

<b>Present:</b>	Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb
<b>Absent:</b>	None

## 4. Pledge of Allegiance to the Flag

**Section Minutes:** Boy Scouts, Tony Janssens and Josh Gray of Troop 903 from St. Anne Church were in attendance, and Mayor McCaleb asked them to lead the Pledge of Allegiance to the Flag.

## 5. Consideration of Consent Agenda

**Section Minutes:** Mayor McCaleb asked if there were any items to remove from the Consent Agenda for discussion. Councilman Thurmond asked to remove Item 'O' due to a conflict.

- A. Approval of the regular meeting minutes of June 3, 2008
- B. Acceptance of the minutes of the Planning Commission meeting held May 22, 2008
- C. Approval of the Payroll and Employee Benefits Calendar for Fiscal Year 2008-09
- D. Ratification of a Proclamation declaring June 12, 2008 as "Ashley Bowser and Broken Arrow High School Speech/Debate Team Day", in Broken Arrow
- E. Approval of and authorization to publish a Notice of Availability of the Annual Audited Financial Statements for public inspection
- F. Approval of and authorization to execute three-year renewals of the IBM Maintenance Service Contracts, with years two and three subject to available funding
- G. Approval of and authorization to execute Architect/Engineer Contract No. ST0611 with HRAOK, Inc., for Realignment/Design of Elm Place (161st East Avenue) from the FAA site to Omaha Street (51st Street)
- H. Approval of and authorization to execute Amendment No. 1 to Architect/Engineer Contract No. ST0523 with BKL, Inc., for Olive Avenue (129th East Avenue) from New Orleans Street (101st Street) to Washington Street (91st Street)
- I. Approval of and authorization to execute Amendment No. 1 to Architect/Engineer Contract No. 075036 with HDR Engineering, Inc., for Phase IIA - Membrane Pilot Testing for the new Water Treatment Plant

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Broken Arrow City Council Minutes Page 1 of 7  
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Absent: None

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H. Approval of and authorization to execute Amendment No. 1 to Architect/Engineer Contract No. ST0523 with BKL, Inc., for Olive Avenue 129th East Avenue) from New Orleans Street 101st Street) to Washington Street 91st Street)

**I. Approval of and authorization to execute Amendment No. 1 to Architect/Engineer Contract No. 075036 with HDR Engineering, Inc., for Phase IIA Membrane Pilot Testing for the new Water Treatment Plant**

- J. Approval of and authorization to execute a Banking Resolution and Certificate of Incumbency with Bank of America authorizing specific officers/persons to conduct specified business with Bank of America
- K. Approval of BAZ 1798, 75.24 acres, 1 lot, A-1 to RE and CG, southwest corner of Tucson Street (121st Street) and Olive Avenue (129th East Avenue)
- L. Reject the bid for a marquee sign for Nienhuis Park and specifically find that the interest of the citizens of Broken Arrow will be served by rejection
- M. Approval of quotes received and award of the most advantageous quote to Water Products, for storm drain pipe
- N. Acceptance of a Utility Easement from Barbara A. Brown Kimbrough and Carolyn A. Cundiff, Co-Trustees of the Revocable Inter Vivos Trust of Barbara A. Brown Kimbrough, U/A dated October 29, 1997 (S2 T18N R14E) [Project: BAL-942 Walman Properties lot split]
- O. Acceptance of a Utility Easement from Seven Oaks South, LLC (S25 T18N R14E) [Project: Seven Oaks South plat]
- P. Approval of the Claims List

<b>Motion:</b>	<b>Move to approve the Consent Agenda except Item ‘O’.</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

Councilman Thurmond left the room.

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

- O. Acceptance of a Utility Easement from Seven Oaks South, LLC (S25 T18N R14E) [Project: Seven Oaks South plat]

<b>Motion:</b>	<b>Move to approve Item ‘O’.</b>
<b>Motion by:</b>	Mike Lester
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Philip Tucker, Richard Carter, Mike Lester, Wade McCaleb
<b>Nays:</b>	None

**Section Minutes:** Councilman Thurmond was absent for the vote, returning to the meeting immediately thereafter.

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

**Section Minutes:** There were no items to consider, and no action was taken.

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

**Section Minutes:** Fire Chief McIntire addressed Council saying that he grew up in Broken and he felt much gratitude for the opportunity to serve the City as its Fire Chief for 29 years. He added that he felt he was leaving the Fire Department in good hands.

J. Approval of and authorization to execute a Banking Resolution and Certificate of Incumbency with Bank of America authorizing specific officers/persons to conduct specified business with Bank of America

K. Approval of BAZ 1798, 75.24 acres, 1 lot, A-1 to RE and CG, southwest corner of Tucson Street (121st Street) and Olive Avenue (129th East Avenue)

L. Reject the bid for a marquee sign for Nienhuis Park and specifically find that the interest of the citizens of Broken Arrow will be served by rejection

M. Approval of quotes received and award of the most advantageous quote to Water Products, for storm drain pipe

N. Acceptance of a Utility Easement from Barbara A. Brown Kimbrough and Carolyn A. Cundiff, Co-Trustees of the Revocable Inter Vivos Trust of Barbara A. Brown Kimbrough, U/A dated October 29, 1997 S2 T18N R14E) Project: BAL-942 Walman Properties lot split]

O. Acceptance of a Utility Easement from Seven Oaks South, LLC S25 T18N R14E) Project: Seven Oaks South plat]

P. Approval of the Claims List

Motion: Move to approve the Consent Agenda except Item O'.

Motion by: Mike Lester

Second by: Richard Carter

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

Councilman Thurmond left the room.

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

O. Acceptance of a Utility Easement from Seven Oaks South, LLC S25 T18N R14E) Project: Seven Oaks South plat]

Motion: Move to approve Item O'.

Motion by: Mike Lester

Second by: Richard Carter

Ayes: Philip Tucker, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

Section Minutes: Councilman Thurmond was absent for the vote, returning to the meeting immediately thereafter.

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

Section Minutes: There were no items to consider, and no action was taken.

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

Section Minutes: Fire Chief McIntire addressed Council saying that he grew up in Broken and he felt much gratitude for the opportunity to serve the City as its Fire Chief for 29 years. He added that he felt he was leaving the Fire Department in good hands.

9. **General Council Business**

- A. Consideration, possible approval of, and authorization to execute Resolution No. 522, a resolution of the Broken Arrow City Council, adopting the Fiscal Year 2008-2009 Annual Budget for the City in accordance with the provisions of the Municipal Budget Act

**Item Minutes:** Discussion followed regarding costs of consultant fees over the next fiscal year. Mr. Twombly thanked department managers and employees for their hard work during lean times.

<b>Motion:</b>	<b>Move to approve and authorize execution of Resolution 522 adopting the Fiscal Year 2008-2009 Budget.</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

- B. Consideration, possible approval of, and authorization to execute Architect/Engineer Contract No. 093524 with BKL, Inc., for design of a standard City of Broken Arrow 3-Bay Fire Station

**Item Minutes:** Assistant City Manager, Dave Wooden, presented this Item consistent with the Fact Sheet provided in the Agenda packet and added that he anticipated the fire station construction would be on the next bond issue election. Councilman Carter asked if Fire Station 2 would also be relocated when built. Mr. Wooden said that was correct, and he responded to Councilman Thurmond's question regarding design services by saying that this design was a generic design that could be used again for future stations of similar size and design.

<b>Motion:</b>	<b>Move to approve and authorize the execution of an architect-engineer contract with BKL, Inc., for a standard 3-bay fire station design.</b>
<b>Motion by:</b>	Philip Tucker
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb
<b>Nays:</b>	None

- C. Consideration and possible approval of a 1% bonus to employees not covered by a Labor Agreement

**Item Minutes:** Mr. Twombly presented this Item consistent with the Fact Sheet provided in the Agenda packet. Councilman Tucker asked which employees would be included. Mr. Twombly said the employees would include salaried employees and also employees not in the union due to their involvement in work pertaining to bargaining issues such as assistants in City Manager's office. He added it would not include those employees in the executive category.

<b>Motion:</b>	<b>Move to approve a 1% bonus payment to all non-union employees as described.</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

10. **City Manager's Report**

- A. Consultant Contracts for FY 2008

**Item Minutes:** City Manager, Jim Twombly, presented this Item. Mr. Twombly said the information regarding use of consultants during FY 2007-2008 was prepared in response to Mayor McCaleb's inquiry at the June 3, 2008 Council meeting. Mr. Twombly reviewed the information presented in the Fact Sheet provided in the Agenda packet. He added that the major reasons for utilizing consultants rather than City staff were:

9. General Council Business

A. Consideration, possible approval of, and authorization to execute Resolution No. 522, a resolution of the Broken Arrow City Council, adopting the Fiscal Year 2008-2009 Annual Budget for the City in accordance with the provisions of the Municipal Budget Act

Item Minutes: Discussion followed regarding costs of consultant fees over the next fiscal year. Mr. Twombly thanked department managers and employees for their hard work during lean times.

Motion: Move to approve and authorize execution of Resolution 522 adopting the Fiscal Year 2008-2009 Budget.

Motion by: Mike Lester

Second by: Richard Carter

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

B. Consideration, possible approval of, and authorization to execute Architect/Engineer Contract No. 093524 with BKL, Inc., for design of a standard City of Broken Arrow 3-Bay Fire Station

Item Minutes: Assistant City Manager, Dave Wooden, presented this Item consistent with the Fact Sheet provided in the Agenda packet and added that he anticipated the fire station construction would be on the next bond issue election. Councilman Carter asked if Fire Station 2 would also be relocated when built. Mr. Wooden said that was correct, and he responded to Councilman Thurmond's question regarding design services by saying that this design was a generic design that could be used again for future stations of similar size and design.

Motion: Move to approve and authorize the execution of an architect-engineer contract with BKL, Inc., for a standard 3-bay fire station design.

Motion by: Philip Tucker

Second by: Richard Carter

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

C. Consideration and possible approval of a 1% bonus to employees not covered by a Labor Agreement

Item Minutes: Mr. Twombly presented this Item consistent with the Fact Sheet provided in the Agenda packet. Councilman Tucker asked which employees would be included. Mr. Twombly said the employees would include salaried employees and also employees not in the union due to their involvement in work pertaining to bargaining issues such as assistants in City Manager's office. He added it would not include those employees in the executive category.

Motion: Move to approve a 1% bonus payment to all non-union employees as described.

Motion by: Mike Lester

Second by: Philip Tucker

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None



## 10. City Manager's Report

### A. Consultant Contracts for FY 2008

Item Minutes: City Manager, Jim Twombly, presented this Item. Mr. Twombly said the information regarding use of consultants during FY 2007-2008 was prepared in response to Mayor McCaleb's inquiry at the June 3, 2008 Council meeting. Mr. Twombly reviewed the information presented in the Fact Sheet provided in the Agenda packet. He added that the major reasons for utilizing consultants rather than City staff were:

1. Short term workload that does not justify the increase in staff necessary to meet the requirement (Design of bond projects, design of web site, graphic design, promotion work shops and specialized legal services).
2. Expertise required on a one time basis (Park Study, park master plan, hospital review and water supply study and specialized training for employees).
3. Outside expertise not connected to the City management to evaluate current practices and provide recommendations for improvements (Street Study and Police and Fire Study, Branding study).
4. Outside expertise to run a city function that is not directly related to other functions (Battle Creek Golf Course operation contract).

City Attorney, Beth Anne Wilkening, said that she did not believe an attorney could be hired, inclusive of benefits, for less than the cost of consultant fees.

The Mayor noted that most of the expense was in the engineering department for streets.

No action was taken or required.

#### B. "Let's Talk BA" Ward 4 Summary

**Item Minutes:** Mr. Twombly said the "Let's Talk, BA" series was held in Ward 4 at Indian Spring Baptist Church on June 10, 2008. He presented a summary consistent with the Fact Sheet provided in the Agenda packet. He added that Councilor Phillip Tucker, and Keith Sterling, City Communications Director, made presentations. He summarized the results of the survey distributed at the meeting saying that results show that public safety, parks/recreation, and utility services from the City scored well; maintenance of City streets, flow of traffic and ease of getting around, and enforcement of City codes scored the lowest; also, opinions on quality of life, personal safety, and image of the City scored well while perception of downtown held the lowest score. The Mayor summarized a few of the other survey items and commented that interest was growing in curbside recycling.

Mr. Twombly explained that the survey results were not for making policy decisions, but identified topics for the future and indicated the issues that citizens at these meetings find important. He said the next meeting will be this fall in the At-Large Ward at a location yet to be determined.

No action was taken or required.

## 11. Preview Ordinances

- A. An ordinance amending Chapter 4, Article V, Section 4-87 of the Broken Arrow Code pertaining to Low Point Beverages, Retail dealer's license; repealing all ordinances to the contrary; and declaring an emergency

**Item Minutes:** Ms. Wilkening said this item would update the City's Code to be in compliance with the State Statute.

- B. An ordinance amending the Broken Arrow Code Chapter 6, Articles I through VII, IX and XI, Building And Building Regulations (Fee Revision); repealing all ordinances to the contrary; and declaring an emergency

**Item Minutes:** Mr. Michael Skates presented this Item consistent with the Fact Sheet provided with the Agenda. He said the amendment incorporates the increases in fees approved by City Council on April 15, 2008 and restructures the Residential fees for Mechanical, Electrical and Plumbing, (MEP).

June 17, 2008

Broken Arrow City Council Minutes Page 4 of 7

1. Short term workload that does not justify the increase in staff necessary to meet the requirement Design of bond projects, design of web site, graphic design, promotion work shops and specialized legal services).
2. Expertise required on a one time basis Park Study, park master plan, hospital review and water supply study and specialized training for employees).
3. Outside expertise not connected to the City management to evaluate current practices and provide recommendations for improvements Street Study and Police and Fire Study, Branding study).
4. Outside expertise to run a city function that is not directly related to other functions Battle Creek Golf Course operation contract).

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Mr. Twombly explained that the survey results were not for making policy decisions, but identified topics for the future and indicated the issues that citizens at these meetings find important. He said the next meeting will be this fall in the At-Large Ward at a location yet to be determined.

No action was taken or required.

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Item Minutes: Ms. Wilkening said this item would update the City's Code to be in compliance with the State Statute.

B. An ordinance amending the Broken Arrow Code Chapter 6, Articles I through VII, IX and XI, Building And Building Regulations Fee Revision); repealing all ordinances to the contrary; and declaring an emergency

Item Minutes: Mr. Michael Skates presented this Item consistent with the Fact Sheet provided with the Agenda. He said the amendment incorporates the increases in fees approved by City Council on April 15, 2008 and restructures the Residential fees for Mechanical, Electrical and Plumbing, MEP).



Mayor McCaleb said that this was a break even deal that allowed the City to recapture its expenses and that Broken Arrow still had the lowest fees in the area.

- C. An ordinance amending Chapter 7, Article XI, Section 7-261 of the Broken Arrow Code pertaining to Wrecker Services, Specifications for Bidding for a long term wrecker contract; repealing all ordinances to the contrary; and declaring an emergency

**Item Minutes:** Ms. Wilkening presented this Item consistent with the Fact Sheet contained in the Agenda packet.

<b>Motion:</b>	<b>Move to forward preview ordinances to the next agenda for possible adoption.</b>
<b>Motion by:</b>	Mike Lester
<b>Second by:</b>	Craig Thurmond
<b>Ayes:</b>	Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb
<b>Nays:</b>	None

**12. Ordinances**

**Section Minutes:** There were no items to consider, and no action was taken.

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

**Section Minutes:** Councilman Carter expressed gratitude to Chief McIntire for his 29 years of service to Broken Arrow.

At the noted time of 7:10 p.m., Mayor McCaleb asked for a Motion to recess to enter into the Broken Arrow Municipal Authority meeting.

<b>Motion:</b>	<b>Move to recess to enter into Broken Arrow Municipal Authority meeting.</b>
<b>Motion by:</b>	Mike Lester
<b>Second by:</b>	Craig Thurmond
<b>Ayes:</b>	Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb
<b>Nays:</b>	None

**Section Minutes:** Mayor McCaleb reconvened the regular session at the noted time of 7:12 p.m. The Mayor asked for a Motion to take a short break following which Council would reconvene in regular session to re-open Item 8, Citizen’s Opportunity to Address Council.

<b>Motion:</b>	<b>Move to take a short break before returning for Executive Session.</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

**Section Minutes:** The Mayor reconvened the regular session at the noted time of 7:30 pm.

Mayor McCaleb stated that one speaker was inadvertently missed when Item 8, Citizens’ Opportunity to Address Council, was heard.

Ms. Jacolyn Smith stated she is a resident of Broken Arrow and a member and employee of the Communication Workers’ of America Local 6012. She addressed Council regarding the City’s budget and its impact on City employees, encouraging them to approve an across the board pay increase.

Mayor McCaleb thanked Ms. Smith. He then requested the room be cleared in preparation for Council to enter into Executive Session.

Broken Arrow City Council Minutes Page 5 of 7

June 17, 2008

Mayor McCaleb said that this was a break even deal that allowed the City to recapture its expenses and that Broken Arrow still had the lowest fees in the area.

C. An ordinance amending Chapter 7, Article XI, Section 7-261 of the Broken Arrow Code pertaining to Wrecker Services, Specifications for Bidding for a long term wrecker contract; repealing all ordinances to the contrary; and declaring an emergency

Item Minutes: Ms. Wilkening presented this Item consistent with the Fact Sheet contained in the Agenda packet.

Motion: Move to forward preview ordinances to the next agenda for possible adoption.

Motion by: Mike Lester

Second by: Craig Thurmond

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

## 12. Ordinances

Section Minutes: There were no items to consider, and no action was taken.

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Section Minutes: Councilman Carter expressed gratitude to Chief McIntire for his 29 years of service to Broken Arrow.

At the noted time of 7:10 p.m., Mayor McCaleb asked for a Motion to recess to enter into the Broken Arrow Municipal Authority meeting.

Motion: Move to recess to enter into Broken Arrow Municipal Authority meeting.

Motion by: Mike Lester

Second by: Craig Thurmond

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

Section Minutes: Mayor McCaleb reconvened the regular session at the noted time of 7:12 p.m. The Mayor asked for a Motion to take a short break following which Council would reconvene in regular session to re-open Item 8, Citizen's Opportunity to Address Council.

Motion: Move to take a short break before returning for Executive Session.

Motion by: Mike Lester

Second by: Philip Tucker

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

Section Minutes: The Mayor reconvened the regular session at the noted time of 7:30 pm.

Mayor McCaleb stated that one speaker was inadvertently missed when Item 8, Citizens' Opportunity to Address Council, was heard.

Ms. Jacolyn Smith stated she is a resident of Broken Arrow and a member and employee of the

Communication Workers' of America Local 6012. She addressed Council regarding the City's budget and its impact on City employees, encouraging them to approve an across the board pay increase. Mayor McCaleb thanked Ms. Smith. He then requested the room be cleared in preparation for Council to enter into Executive Session.

The room was cleared and, at the noted time of 7:35 p.m., Mayor McCaleb asked for a Motion to enter into Executive Session.

<b>Motion:</b>	<b>Move to enter into Executive Session.</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Philip Tucker
<b>Ayes:</b>	Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb
<b>Nays:</b>	None

14. **Executive Session** for the purpose of confidential communications between the City Council, the City Manager, the Assistant City Manager and the City Attorney for the purpose of conferring on matters concerning negotiations with employees and representatives of the IAFF, and the Communication Workers' of America under 25 O.S. § 307(B)(2); the employment, hiring, appointment, promotion, demotion, disciplining or resignation of a paralegal in the Legal Department, an individual salaried public judicial officer or employee under 25 O.S. § 307(B)(1); and the purchase and appraisal of real and personal property owned by Rural Water District No. 4 under 25 O.S. § 307(B)(3). 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.

**Section Minutes:** The Mayor reconvened the regular session at the noted time of 8:48 pm.

<b>Motion:</b>	<b>Move to authorize the Assistant City Manager to proceed as directed with regard to the negotiations with employees and representatives of the IAFF.</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

<b>Motion:</b>	<b>Move to authorize the Human Resources Director to proceed as directed with regard to the negotiations with the Communication Workers of America.</b>
<b>Motion by:</b>	Mike Lester
<b>Second by:</b>	Craig Thurmond
<b>Ayes:</b>	Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb
<b>Nays:</b>	None

<b>Motion:</b>	<b>Move to authorize the Assistant City Manager to continue to gather information with regard to the purchase and appraisal of property owned by Rural Water District No. 4.</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

<b>Motion:</b>	<b>Move to authorize the City Attorney to extend a counter-offer in the matter of the paralegal in the Legal Department as directed.</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

No further action was taken.



Broken Arrow City Council Minutes Page 6 of 7

June 17, 2008

The room was cleared and, at the noted time of 7:35 p.m., Mayor McCaleb asked for a Motion to enter into Executive Session.

Motion: Move to enter into Executive Session.

Motion by: Richard Carter

Second by: Philip Tucker

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

14. Executive Session for the purpose of confidential communications between the City Council, the City Manager, the Assistant City Manager and the City Attorney for the purpose of conferring on matters concerning negotiations with employees and representatives of the IAFF, and the Communication Workers' of America under 25 O.S. 307(B)(2); the employment, hiring, appointment, promotion, demotion, disciplining or resignation of a paralegal in the Legal Department, an individual salaried public judicial officer or employee under 25 O.S. 307(B)(1); and the purchase and appraisal of real and personal property owned by Rural Water District No. 4 under 25 O.S. 307(B)(3). 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.

Section Minutes: The Mayor reconvened the regular session at the noted time of 8:48 pm.

Motion: Move to authorize the Assistant City Manager to proceed as directed with regard to the negotiations with employees and representatives of the IAFF.

Motion by: Mike Lester

Second by: Richard Carter

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

Motion: Move to authorize the Human Resources Director to proceed as directed with regard to the negotiations with the Communication Workers of America.

Motion by: Mike Lester

Second by: Craig Thurmond

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

Motion: Move to authorize the Assistant City Manager to continue to gather information with regard to the purchase and appraisal of property owned by Rural Water District No. 4.

Motion by: Mike Lester

Second by: Philip Tucker

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

Motion: Move to authorize the City Attorney to extend a counter-offer in the matter of the paralegal in the Legal Department as directed.

Motion by: Mike Lester

Second by: Richard Carter

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

No further action was taken.

15. **Adjournment**

<b>Motion:</b>	<b>Move to adjourn.</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

The meeting was adjourned at the noted time of 8:51 p.m.

\_\_\_\_\_  
Mayor

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

15. Adjournment

Motion: Move to adjourn.

Motion by: Mike Lester

Second by: Philip Tucker

Ayes: Philip Tucker, Craig Thurmond, Richard Carter, Mike Lester, Wade McCaleb

Nays: None

The meeting was adjourned at the noted time of 8:51 p.m.

Mayor

City Clerk