

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

April 19, 2011

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: Chaplain Scott Manganero delivered the invocation.

3. Roll Call

Present:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
Absent:	None

4. Pledge of Allegiance to the Flag

Section Minutes: Mayor Lester led the Pledge of Allegiance to the Flag.

5. Administration of Oaths of Office

Section Minutes: Judge Edgar administered the oaths of office to the new and returning Councilors.

6. Election of Mayor and Vice-Mayor

Section Minutes: Mayor Lester opened the floor for nominations for the offices of Mayor and Vice-Mayor. Councilor Carter nominated Mike Lester for the office of Mayor, and Councilor Thurmond seconded that motion, adding that Mike Lester has done an outstanding job over the past two years and has been one of the best Mayors the City has had.

Motion:	Move to nominate Mike Lester for the office of Mayor
Motion by:	Richard Carter
Second by:	Craig Thurmond
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond
Nays:	None
Abstains:	Mike Lester

Mayor Lester then opened the floor for nominations for the office of Vice-Mayor. Councilor Carter nominated Craig Thurmond, and Councilor Parks seconded that motion.

Motion:	Move to nominate Craig Thurmond for the office of Vice-Mayor
Motion by:	Richard Carter
Second by:	Johnnie Parks
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Mike Lester
Nays:	None
Abstains:	Craig Thurmond

BROKEN ARROW CITY COUNCIL
MINUTES
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012

April 19, 2011

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: Chaplain Scott Manganero delivered the invocation.

3. Roll Call

Pre

Johnnie Parks, arks Crai Thurmond, Mike

Present:

Johnnie Jill lill Norman, Richard d Carter, Craig Thurmond, Lester

Lestn

None

Absent: None

Pledge of Allegiance to the Flag

Section Minutes: Mayor Lester led the Pledge of Allegiance to the Flag.

5. Administration of Oaths of Office

Section Minutes: Judge Edgar administered the oaths of office to the new and returning Councilors.

6. Election of Mayor and Vice-Mayor

Section Minutes: Mayor Lester opened the floor for nominations for the offices of Mayor and Vice-Mayor.

Councilor Carter nominated Mike Lester for the office of Mayor, and Councilor Thurmond seconded that motion, adding that Mike Lester has done an outstanding job over the past two years and has been one of the best Mayors the City has had.

Motion: Move to nominate Mike Lester for the office of Mayor

Motion b Richard Carter

Second b Craig Thurmond

Ayes: Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond

Nays: None

Abstains: Mike Lester

Mayor Lester then opened the floor for nominations for the office of Vice-Mayor. Councilor Carter nominated Craig Thurmond, and Councilor Parks seconded that motion.

Motion: Move to nominate Craig Thurmond for the office of Vice-Mayor

Motion b Richard Carter

Second b Johnnie Parks

Ayes: Johnnie Parks, Jill Norman, Richard Carter, Mike Lester

Nays: None

Abstains: Craig Thurmond

7. **Consideration of Consent Agenda**

Section Minutes: Mayor Lester asked that Item A be removed from the Consent Agenda for the benefit of Councilor Parks. He then asked if there were any other items to be removed; there being none, he asked for a motion.

Motion:	Move to approve the Consent Agenda except for Item A
Motion by:	Craig Thurmond
Second by:	Richard Carter
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

- A. Approval of the regular meeting minutes of April 5, 2011
- B. Approval of and authorization to execute an Architect-Engineer Contract with PDG, Inc., dba Planning Design Group for the design of Arrowhead Park Softball Complex and Central Park Improvements
- C. Approval of Flood-Prone Property Transfer to the City of Broken Arrow from Lancaster Park Homeowners Association
- D. Approval of the Claims List

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

Motion:	Move to approve Item A
Motion by:	Richard Carter
Second by:	Jill Norman
Ayes:	Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None
Abstains:	Johnnie Parks

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

- A. Approval and presentation of the "Employee of the Quarter" award recognizing Lori Mann for the term January through March 2011

Item Minutes: City Manager Dave Wooden announced that the Employee Advisory Committee has nominated Lori Mann for Employee of the First Quarter of 2011, adding that she displays all the characteristics that make her a great City employee. He said Ms. Mann provides outstanding customer service, is always courteous and professional regardless of the customers' attitudes, and is willing to go the extra mile for fellow co-workers or citizens. Mr. Wooden added that citizens have commented on how helpful and nice she always is. He then said it was his pleasure to forward and recommend the nomination of Lori Mann for Employee of the First Quarter of 2011.

Motion:	Move to recognize Lori Mann as Employee of the First Quarter of 2011
Motion by:	Richard Carter
Second by:	Craig Thurmond
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

Mayor Lester then presented the Employee of the Quarter Award to Lori Mann.

7. Consideration of Consent Agenda

Section Minutes: Mayor Lester asked that Item A be removed from the Consent Agenda for the benefit of Councilor Parks. He then asked if there were any other items to be removed; there being none, he asked for a motion.

Motion: Move to approve the Consent Agenda except for Item A

Motion b Craig Thurmond

Second b Richard Carter

Ayes: Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

A. Approval of the regular meeting minutes of April 5, 2011

B. Approval of and authorization to execute an Architect-Engineer Contract with PDG, Inc., dba Planning Design Group for the design of Arrowhead Park Softball Complex and Central Park Improvements

C. Approval of Flood-Prone Property Transfer to the City of Broken Arrow from Lancaster Park Homeowners Association

D. Approval of the Claims List

8. Consideration of Items Removed from Consent Agenda

Motion: Move to approve Item A

Motion b Richard Carter

Second b Jill Norman

Ayes: Jill Norman, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

Abstains: Johnnie Parks

9. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths

A. Approval and presentation of the Employee of the Quarter" award recognizing Lori Mann for the term January through March 2011

Item Minutes: City Manager Dave Wooden announced that the Employee Advisory Committee has nominated Lori Mann for Employee of the First Quarter of 2011, adding that she displays all the characteristics that make her a great City employee. He said Ms. Mann provides outstanding customer service, is always courteous and professional regardless of the customers' attitudes, and is willing to go the extra mile for fellow co-workers or citizens. Mr. Wooden added that citizens have commented on how helpful and nice she always is. He then said it was his pleasure to forward and recommend the nomination of Lori Mann for Employee of the First Quarter of 2011.

Motion: Move to recognize Lori Mann as Employee of the First Quarter of 2011

Motion b Richard Carter

Second b Craig Thurmond

Ayes: Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

Mayor Lester then presented the Employee of the Quarter Award to Lori Mann.

Broken Arrow City Council Page 2 of 7 April 5, 2011

B. Approval of Proclamation declaring the week of April 17 - 23, 2011 as Volunteers in Police service week; Recognition of Volunteers and brief presentation

Item Minutes: City Manager Dave Wooden commented that this is always a pleasant duty for the City Manager. He said the volunteers in the Police Department do an outstanding job and save the City a tremendous amount of money. Mr. Wooden explained that these volunteers include the Broken Arrow Police Department reserve officers, the chaplains, the animal control volunteers, and office volunteers. He said these volunteers have donated over 9,479 hours over the last year, a savings to the City of over \$202,476 if these were paid positions. He also said these volunteers provide an uplifting presence to those they work around. He stated that it's with pleasure that he recommends Council approve this Proclamation declaring the week of April 17-23 Volunteers in Police Service Week and present it to them.

Motion:	Move to approve the Proclamation declaring the week of April 17-23 as Volunteers in Police Service Week
Motion by:	Craig Thurmond
Second by:	Johnnie Parks
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

Mr. Lester then invited the volunteers to come forward, read the Proclamation, and presented it to them.

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

Section Minutes: No one signed up to address the Council on general topics related to city business or services.

11. General Council Business

A. Consideration of and possible approval of a nomination for the Broken Arrow Economic Development Corporation Board of Directors

Item Minutes: City Manager Dave Wooden reminded the Council that the Articles of Incorporation for the Broken Arrow Economic Development Corporation require that the City Manager of the City of Broken Arrow, the Superintendent of the Broken Arrow School District, and the Chief Executive Officer of the Broken Arrow Chamber of Commerce get together and nominate people to the Board of Directors. He stated that the nominees must be businessmen in the community and active in public service. Mr. Wooden then said Mr. Jim Boze has been nominated to serve as a Broken Arrow Economic Development Corporation board member. He said Mr. Boze, of Arkansas Valley Bank, currently serves on the board and has agreed to serve another term; he's well-known and is very active in the community.

Motion:	Move to nominate Mr. Jim Boze to serve on the Broken Arrow Economic Development Corporation Board of Directors
Motion by:	Jill Norman
Second by:	Richard Carter
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

B. Consideration of and possible approval of the City of Broken Arrow Proclamation and Letters of Congratulations Guidelines

Item Minutes: City Manager Dave Wooden said this item is a proposal to establish guidelines for proclamations and letters, adding that in the past the City has not had such a policy. As a result, he said, the City has had numerous requests for proclamations that would have been better answered by a letter signed by the Mayor, and in some cases people weren't recognized for lack of an alternate means of recognition. Mr. Wooden said the City Clerk and the City Attorney have researched guidelines in several areas and have drafted the requirements necessary for someone to get a letter of congratulation or a proclamation. He said

B. Approval of Proclamation declaring the week of April 17-23, 2011 as Volunteers in Police service week; Recognition of Volunteers and brief presentation

Item Minutes: City Manager Dave Wooden commented that this is always a pleasant duty for the City Manager. He said the volunteers in the Police Department do an outstanding job and save the City a tremendous amount of money. Mr. Wooden explained that these volunteers include the Broken Arrow Police Department reserve officers, the chaplains, the animal control volunteers, and office volunteers. He said these volunteers have donated over 9,479 hours over the last year, a savings to the City of over \$202,476 if these were paid positions. He also said these volunteers provide an uplifting presence to those they work around. He stated that it's with pleasure that he recommends Council approve this Proclamation declaring the week of April 17-23 Volunteers in Police Service Week and present it to them.

Motion: Move to approve the Proclamation declaring the week of April 17-23 as Volunteers in Police Service Week

Motion b Craig Thurmond

Second b Johnnie Parks

Ayes: Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

Mr. Lester then invited the volunteers to come forward, read the Proclamation, and presented it to them.

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

Section Minutes: No one signed up to address the Council on general topics related to city business or services.

11. General Council Business

A. Consideration of and possible approval of a nomination for the Broken Arrow Economic Development Corporation Board of Directors

Item Minutes: City Manager Dave Wooden reminded the Council that the Articles of Incorporation for the Broken Arrow Economic Development Corporation require that the City Manager of the City of Broken Arrow, the Superintendent of the Broken Arrow School District, and the Chief Executive Officer of the Broken Arrow Chamber of Commerce get together and nominate people to the Board of Directors. He stated that the nominees must be businessmen in the community and active in public service. Mr. Wooden then said Mr. Jim Boze has been nominated to serve as a Broken Arrow Economic Development Corporation board member. He said Mr. Boze, of Arkansas Valley Bank, currently serves on the board and has agreed to serve another term; he's well-known and is very active in the community.

Motion: Move to nominate Mr. Jim Boze to serve on the Broken Arrow Economic Development Corporation Board of Directors

Motion b Jill Norman

Second b Richard Carter

Ayes: Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

B. Consideration of and possible approval of the City of Broken Arrow Proclamation and Letters of Congratulations Guidelines

Item Minutes: City Manager Dave Wooden said this item is a proposal to establish guidelines for proclamations and letters, adding that in the past the City has not had such a policy. As a result, he said, the City has had numerous requests for proclamations that would have been better answered by a letter signed by the Mayor, and in some cases people weren't recognized for lack of an alternate means of recognition. Mr. Wooden said the City Clerk and the City Attorney have researched guidelines in several areas and have drafted the requirements necessary for someone to get a letter of congratulation or a proclamation. He said

these requests will then be forwarded either through the City Clerk to the Council for action if it's a proclamation, or to the Mayor for a signature if it's a letter of commendation.

Mayor Lester commented that he had requested this change due to numerous requests made to the City for proclamations which have nothing to do with the City of Broken Arrow. Councilor Parks asked if these guidelines will come through as an ordinance; Mr. Wooden answered that this will be a policy used to determine whether a proclamation or a letter is produced when someone calls in and makes a request, and added that the City Clerk will keep these guidelines in her office. City Attorney Beth Anne Wilkening said that these guidelines can also be put on the website.

Motion:	Move to approve the City of Broken Arrow Proclamation and Letters of Congratulations Guidelines
Motion by:	Richard Carter
Second by:	Jill Norman
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

12. City Manager's Report

Section Minutes: There was no City Manager's report.

13. Preview Ordinances

- A. An ordinance amending Chapter 5, Article I, Section 5-21 of the Broken Arrow Code pertaining to Venomous reptiles, wild or exotic animals prohibited; exceptions; repealing all ordinances to the contrary; and declaring an emergency

Item Minutes: City Manager Dave Wooden said an exotic animal inside the City of Broken Arrow presents unique challenges to the City: on one hand you have a person emotionally tied to an animal that is not normally considered a domesticated pet, and on the other hand you have a wild animal living in the City and there is no guarantee that that animal won't revert to its natural tendencies and harm either its owner or someone else. He said by definition most exotic animals have the potential to be a danger to humans; this was the driving force for the exotic animal ordinance when it was first passed. Referring to the recent Council consideration of a pet kangaroo, Mr. Wooden said the City has received numerous letters and emails from citizens both for and against allowing the owner to keep the kangaroo in the City. Citing a desire not to make a decision on this matter based on emotion response or political expediency, Mr. Wooden said Staff has prepared a change to the City's ordinance that would establish an exotic animal review board consisting of experts in the field of exotic animal husbandry. He said this board would consist of both exotic animal veterinarians and operators of wildlife sanctuaries who would review each case and make a recommendation to allow or not allow the exotic animal to be maintained at a private residence. He further stated that this board would examine issues of liability insurance, whether the animal is being kept in adequate conditions that are not cruel or abusive, verify that it's current on all required vaccinations and has no illness that could be transmitted to the human population, verify compliance with all federal and state requirements associated with the keeping of an exotic animal; verify that the owner has not pled no contest or been found to have violated federal, state, or local laws pertaining to the transport, neglect, or welfare of animals, and verify compliance with all other requirements set forth in the laws. Once these issues have been successfully resolved, he said the City will approve the keeping of the animal inside the City. Mr. Wooden said Staff is asking the Council to preview this ordinance and set it for adoption at the next City Council meeting. He added that this will give Ms. Carr time to gather the required information; once the ordinance is adopted, the board will form and rule on the case of the red kangaroo owned by Ms. Carr.

Councilor Carter commented that when this case first came, the emotion of his heart and that of the audience went out to Ms. Carr and the kangaroo. Since that time, he said much more information has become known, making this a very difficult issue regarding the safety of the public, of Ms. Carr, and of the kangaroo. He commended the Legal Department for their thorough research of this issue.

these requests will then be forwarded either through the City Clerk to the Council for action if it's a proclamation, or to the Mayor for a signature if it's a letter of commendation.

Mayor Lester commented that he had requested this change due to numerous requests made to the City for proclamations which have nothing to do with the City of Broken Arrow. Councilor Parks asked if these guidelines will come through as an ordinance; Mr. Wooden answered that this will be a policy used to determine whether a proclamation or a letter is produced when someone calls in and makes a request, and added that the City Clerk will keep these guidelines in her office. City Attorney Beth Anne Wilkening said that these guidelines can also be put on the website.

Motion: Move to approve the City of Broken Arrow Proclamation and Letters of Congratulations Guidelines

Motion b Richard Carter

Second b Jill Norman

A es: Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

12. City Manager's Report

Section Minutes: There was no City Manager's report.

13. Preview Ordinances

A. An ordinance amending Chapter 5, Article I, Section 5-21 of the Broken Arrow Code pertaining to Venomous reptiles, wild or exotic animals prohibited; exceptions; repealing all ordinances to the contrary; and declaring an emergency

Item Minutes: City Manager Dave Wooden said an exotic animal inside the City of Broken Arrow presents unique challenges to the City: on one hand you have a person emotionally tied to an animal that is not normally considered a domesticated pet, and on the other hand you have a wild animal living in the City and there is no guarantee that that animal won't revert to its natural tendencies and harm either its owner or someone else. He said by definition most exotic animals have the potential to be a danger to humans; this was the driving force for the exotic animal ordinance when it was first passed. Referring to the recent Council consideration of a pet kangaroo, Mr. Wooden said the City has received numerous letters and emails from citizens both for and against allowing the owner to keep the kangaroo in the City. Citing a desire not to make a decision on this matter based on emotion response or political expediency, Mr. Wooden said Staff has prepared a change to the City's ordinance that would establish an exotic animal review board consisting of experts in the field of exotic animal husbandry. He said this board would consist of both exotic animal veterinarians and operators of wildlife sanctuaries who would review each case and make a recommendation to allow or not allow the exotic animal to be maintained at a private residence. He further stated that this board would examine issues of liability insurance, whether the animal is being kept in adequate conditions that are not cruel or abusive, verify that it's current on all required vaccinations and has no illness that could be transmitted to the human population, verify compliance with all federal and state requirements associated with the keeping of an exotic animal; verify that the owner has not pled no contest or been found to have violated federal, state, or local laws pertaining to the transport, neglect, or welfare of animals, and verify compliance with all other requirements set forth in the laws. Once these issues have been successfully resolved, he said the City will approve the keeping of the animal inside the City. Mr. Wooden said Staff is asking the Council to preview this ordinance and set it for adoption at the next City Council meeting. He added that this will give Ms. Carr time to gather the required information; once the ordinance is adopted, the board will form and rule on the case of the red kangaroo owned by Ms. Carr.

Councilor Carter commented that when this case first came, the emotion of his heart and that of the audience went out to Ms. Carr and the kangaroo. Since that time, he said much more information has become known,

making this a very difficult issue regarding the safety of the public, of Ms. Carr, and of the kangaroo. He commended the Legal Department for their thorough research of this issue.

Broken Arrow City Council Page 4 of 7 April 5, 2011

Councilor Parks asked about the suggestion that an exotic animal owner contact neighbors, and Ms. Wilkening said this did not come to light until after the agenda had already been published, but she had planned to mention this suggestion that prior to appearing before the Council an exotic animal owner will make sure that all of the homeowners within a certain radius are notified.

Mayor Lester said this ordinance came about a number of years ago when a homeowner within the City limits had two lions. He commented that six weeks ago he did not know much about kangaroos, but now has been thoroughly educated, and he commended Council on their diligence in looking at the whole issue. He then invited several people to speak who had signed up to speak about this issue, noting that Sue Poplin wanted to acknowledge that she is in support of Irwin the kangaroo. He then introduced Nicky Martinez, who had signed up to speak in support of this issue, but she was not present. Mayor Lester next introduced Norene Marsh.

Ms. Marsh said she wished to speak on behalf of over 90 residents of the Broken Arrow Nursing Home. She said in over 27 years of working at the nursing home, she's never seen the residents as upset as they are over this issue. She then read a letter written to the Council on behalf of the residents, describing the benefits the kangaroo visits provide to the residents and asking the Council to take this into account as they consider this case.

Mayor Lester then invited Christie Carr to come forward and speak. Kim Dawson came forward with Ms. Carr, but did not speak. Ms. Carr said she's read the requirements, and has a problem with the one addressing insurance. She said the quote she received for a \$50,000 insurance policy had a \$12,500 deductible and a fee of \$1,100. She also said there's also a \$100 annual fee to the City; although the annual license fee for cats or dogs is only \$5 and is not enforced. Ms. Carr said the only person on the Council who has made an effort to evaluate her kangaroo is Councilor Norman. She also complained that some of the committee's suggestions were not incorporated into the requirements. Mayor Lester asked what committee she was referring to, and Ms. Carr said she was referring to the board of veterinarians and wildlife sanctuary owners. City Attorney Beth Anne Wilkening then responded that some experts were assembled to review and provide feedback about a draft copy of the ordinance, but were not assembled as a formal group. Ms. Wilkening said they were generally favorable about Ms. Carr's situation, but also supported reasonable restrictions and regulations as part of the ordinance. Ms. Wilkening then said she set the fee at \$100 because there will be considerable effort required on the part of the city, and the fees need to reflect the amount of work and effort required by the City. She specified that an exotic review committee will need to be convened, animal control officers will need to be actively involved in going out and making certifications, and she anticipates that the City will play a role in ushering people through this process, involving the Legal Department, Animal Control, the Police Department, and Planning and Zoning, and incur a cost associated with mailing notifications as well.

Motion:	Move to set the preview ordinance for possible adoption at the next Council meeting
Motion by:	Craig Thurmond
Second by:	Richard Carter
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

14. Ordinances

Section Minutes: Ordinances A, B, C, D, E, F, G and H were taken together. City Manager Dave Wooden said Ordinances A, B, C, D, E, F and H are zoning ordinances, codifying actions that were previously taken by Council, while Ordinance G is a correction in a legal description.

Motion:	Move to adopt Ordinances 3158, 3156, 3159, 3160, 3161, 3162, 3152 Corrected, and 3157
Motion by:	Craig Thurmond
Second by:	Richard Carter
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

Councilor Parks asked about the suggestion that an exotic animal owner contact neighbors, and Ms. Wilkening said this did not come to light until after the agenda had already been published, but she had planned to mention this suggestion that prior to appearing before the Council an exotic animal owner will make sure that all of the homeowners within a certain radius are notified.

Mayor Lester said this ordinance came about a number of years ago when a homeowner within the City limits had two lions. He commented that six weeks ago he did not know much about kangaroos, but now has been thoroughly educated, and he commended Council on their diligence in looking at the whole issue. He then invited several people to speak who had signed up to speak about this issue, noting that Sue Poplin wanted to acknowledge that she is in support of Irwin the kangaroo. He then introduced Nicky Martinez, who had signed up to speak in support of this issue, but she was not present. Mayor Lester next introduced Norene Marsh.

Ms. Marsh said she wished to speak on behalf of over 90 residents of the Broken Arrow Nursing Home. She said in over 27 years of working at the nursing home, she's never seen the residents as upset as they are over this issue. She then read a letter written to the Council on behalf of the residents, describing the benefits the kangaroo visits provide to the residents and asking the Council to take this into account as they consider this case.

Mayor Lester then invited Christie Carr to come forward and speak. Kim Dawson came forward with Ms. Can, but did not speak. Ms. Can said she's read the requirements, and has a problem with the one addressing insurance. She said the quote she received for a \$50,000 insurance policy had a \$12,500 deductible and a fee of \$1,100. She also said there's also a \$100 annual fee to the City; although the annual license fee for cats or dogs is only \$5 and is not enforced. Ms. Can said the only person on the Council who has made an effort to evaluate her kangaroo is Councilor Norman. She also complained that some of the committee's suggestions were not incorporated into the requirements. Mayor Lester asked what committee she was referring to, and Ms. Can said she was referring to the board of veterinarians and wildlife sanctuary owners. City Attorney Beth Anne Wilkening then responded that some experts were assembled to review and provide feedback about a draft copy of the ordinance, but were not assembled as a formal group. Ms. Wilkening said they were generally favorable about Ms. Carr's situation, but also supported reasonable restrictions and regulations as part of the ordinance. Ms. Wilkening then said she set the fee at \$100 because there will be considerable effort required on the part of the city, and the fees need to reflect the amount of work and effort required by the City. She specified that an exotic review committee will need to be convened, animal control officers will need to be actively involved in going out and making certifications, and she anticipates that the City will play a role in ushering people through this process, involving the Legal Department, Animal Control, the Police Department, and Planning and Zoning, and incur a cost associated with mailing notifications as well.

Motion: Move to set the preview ordinance for possible adoption at the next Council meeting

Motion b Craig Thurmond

Second b Richard Carter

Ayes: Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

14. Ordinances

Section Minutes: Ordinances A, B, C, D, E, F, G and H were taken together. City Manager Dave Wooden said Ordinances A, B, C, D, E, F and H are zoning ordinances, codifying actions that were previously taken by Council, while Ordinance G is a correction in a legal description.

Motion: Move to adopt Ordinances 3158, 3156, 3159, 3160, 3161, 3162, 3152

Corrected, and 3157

Motion b Craig Thurmond

Second b Richard Carter

Ayes: Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

Broken Arrow City Council Page 5 of 7 April 5, 2011

Motion:	Move to adopt the emergency clause on Ordinances 3158, 3156, 3159, 3160, 3161, 3162, and 3157
Motion by:	Richard Carter
Second by:	Jill Norman
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

- A. Adoption of Ordinance No. 3158 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1840 and BAZ 1846, and granting CG, IL, FD zoning and PUD 202A classification to be placed upon 11.81 acres, located one quarter mile west of Olive Avenue, south of Kenosha Street, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- B. Adoption of Ordinance No. 3156 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1765 and granting RM zoning to be placed upon 4.43 acres, located east of Elm Place, ½ mile south of Washington Street, repealing all Ordinances or parts of ordinances in conflict herewith and declaring an emergency
- C. Adoption of Ordinance No. 3159 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1843 and granting ON zoning to be placed upon 3.48 acres, located on the Southeast corner of Olive Avenue and 68th Street, repealing all Ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- D. Adoption of Ordinance No. 3160 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving PUD 120D, minor Amendment to PUD 120, be placed upon tracts measuring 5.38 acres, located within the Castlegate Amended addition, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- E. Adoption of Ordinance No. 3161 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1852 and granting RS-1 zoning upon 3.37 acres, located south of Florence Street, one eighth mile west of 23rd Street, repealing all Ordinances or parts of ordinances in conflict herewith and declaring an emergency
- F. Adoption of Ordinance No. 3162 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1849 and granting RS-1 zoning to be placed upon 2.58 acres, located east of Elm Place, approximately one-third mile north of Jasper Street, repealing all Ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- G. Adopt Ordinance No. 3152 corrected - an Ordinance closing two (2) rights-of-way in part of the Northeast Quarter (NE/4) of the Southeast Quarter (SE/4) of Section Two (2), Township Eighteen North (T18N), Range Fourteen East (R14E) Tulsa County, State of Oklahoma; and A tract of land situated in the Northeast Quarter of the Southeast Quarter (NE/4 SE/4) of Section 2, Township 18 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma; and repealing all ordinances to the contrary (Project: PT10-108 Hillside Plaza) (located north of Kenosha Street and west of 9th Street)
- H. Adoption of Ordinance No. 3157 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1794 and granting CH and IL zoning and PUD 186 classification to be placed upon 9.4 acres, located ¼ mile north of the Broken Arrow Expressway, west of 9th street, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

15. Remarks and Inquiries by Governing Body Members

Section Minutes: Councilor Thurmond welcomed Johnnie Parks to the City Council.

Motion: Move to adopt the emergency clause on Ordinances 3158, 3156, 3159, 3160, 3161, 3162, and 3157

Motion b Richard Carter

Second b Jill Norman

Ayes: Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester

Nays: None J

A. Adoption of Ordinance No. 3158 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma Ordinance No. 2931) approving BAZ 1840 and BAZ 1846, and granting CG, IL, FD zoning and PUD 202A classification to be placed upon 11.81 acres, located one quarter mile west of Olive Avenue, south of Kenosha Street, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

B. Adoption of Ordinance No. 3156 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma Ordinance No. 2931) approving BAZ 1765 and granting RM zoning to be placed upon 4.43 acres, located east of Elm Place, 1/2 mile south of Washington Street, repealing all Ordinances or parts of ordinances in conflict herewith and declaring an emergency

C. Adoption of Ordinance No. 3159 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma Ordinance No. 2931) approving BAZ 1843 and granting ON zoning to be placed upon 3.48 acres, located on the Southeast corner of Olive Avenue and 68th Street, repealing all Ordinances or parts of ordinances in conflict herewith, and declaring an emergency

D. Adoption of Ordinance No. 3160 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma Ordinance No. 2931) approving PUD 120D, minor Amendment to PUD 120, be placed upon tracts measuring 5.38 acres, located within the Castlegate Amended addition, repealing all ordinances or parts of'--' ordinances in conflict herewith, and declaring an emergency

E. Adoption of Ordinance No. 3161 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma Ordinance No. 2931) approving BAZ 1852 and granting RS-1 zoning upon 3.37 acres, located south of Florence Street, one eighth mile west of 23rd Street, repealing all Ordinances or parts of ordinances in conflict herewith and declaring an emergency

F. Adoption of Ordinance No. 3162 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma Ordinance No. 2931) approving BAZ 1849 and granting RS-1 zoning to be placed upon 2.58 acres, located east of Elm Place, approximately one-third mile north of Jasper Street, repealing all Ordinances or parts of ordinances in conflict herewith, and declaring an emergency

G. Adopt Ordinance No. 3152 corrected an Ordinance closing two 2) rights-of-way in part of the Northeast Quarter NE/4) of the Southeast Quarter SE/4) of Section Two 2), Township Eighteen North T 18N), Range Fourteen East R14E) Tulsa County, State of Oklahoma; and A tract of land situated in the Northeast Quarter of the Southeast Quarter NE/4 SE/4) of Section 2, Township 18 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma; and repealing all ordinances to the contrary Project: PTIO-108 Hillside Plaza) located north of Kenosha Street and west of 9th Street)

H. Adoption of Ordinance No. 3157 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma Ordinance No. 2931) approving BAZ 1794 and granting CH and IL zoning and PUD 186 classification to be placed upon 9.4 acres, located 1/4 mile north of the Broken Arrow Expressway, west of 9th street, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

15. Remarks and Inquiries by Governing Body Members

Section Minutes: Councilor Thurmond welcomed Johnnie Parks to the City Council.

Broken Arrow City Council Page 6 of 7 April 5, 2011

At approximately 7:12 p.m., Mayor Lester asked for a motion to recess into the Broken Arrow Municipal Authority meeting. He stated that the Broken Arrow Economic Development Authority meeting is cancelled this evening.

Motion:	Move to recess into the Broken Arrow Municipal Authority
Motion by:	Jill Norman
Second by:	Johnnie Parks
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

Mayor Lester reconvened the regular Council meeting at approximately 7:13 p.m.

Mayor Lester then asked for a motion to take a short break in order to clear the room prior to entering into Executive Session. Those attending the meeting left the room.

City Manager Dave Wooden stated that he did not have all the information he required for the Executive Session and did not realize that more preparation time was required.

The room was opened for those in attendance and Mayor Lester reconvened the regular session.

The Mayor announced that there was no Executive Session.

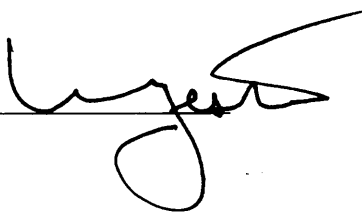
16. **Executive Session** for the purpose of confidential communications (and possible authorization to proceed with negotiations for the purchase and appraisal of real property in open session) between the City Council, the City Manager, and the City Attorney on the potential purchase and appraisal of real property located in the area of East Kenosha (E 71st Street) and Lone Star Road (353rd E. Avenue) in Wagoner County, under 25 O.S. §307(B)(3). After the conclusion of the confidential portion of executive session, the City Council will reconvene in open meeting, and the final decision, if any, will be put to a vote



Section Minutes: There was no Executive Session held.

17. **Adjournment**

Section Minutes: The meeting adjourned at approximately 7:24 p.m.

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


 Mayor

Attest:

 City Clerk


At approximately 7:12 p.m., Mayor Lester asked for a motion to recess into the Broken Arrow Municipal Authority meeting. He stated that the Broken Arrow Economic Development Authority meeting is cancelled this evening.

Motion: Move to recess into the Broken Arrow Municipal Authority

Motion b Jill Norman

Second b Johnnie Parks

Ayes: Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

Mayor Lester reconvened the regular Council meeting at approximately 7:13 p.m.

Mayor Lester then asked for a motion to take a short break in order to clear the room prior to entering into Executive Session. Those attending the meeting left the room.

City Manager Dave Wooden stated that he did not have all the information he required for the Executive Session and did not realize that more preparation time was required.

The room was opened for those in attendance and Mayor Lester reconvened the regular session.

The Mayor announced that there was no Executive Session.

16. Executive Session for the purpose of confidential communications and possible authorization to proceed with negotiations for the purchase and appraisal of real property in open session) between the City Council, the City Manager, and the City Attorney on the potential purchase and appraisal of real property located in the area of East Kenosha E 71st Street) and Lone Star Road 353rd E. Avenue) in Wagoner County, under 25 O.S. 307(B)(3).

After the conclusion of the confidential portion of executive session, the City Council will reconvene in open meeting, and the final decision, if any, will be put to a vote

Section Minutes: There was no Executive Session held.

17. Adjournment

Section Minutes: The meeting adjourned at approximately 7:24 p.m.

Motion: Move to adjourn

Motion b Craig Thurmond

Second b Richard Carter

Ayes: Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester

Nays: None

Attest:

o

f-

9 7 r Rcr I it, o

A COUNT

Broken Arrow City Council Page 7 of 7

April 5, 2011