

**BROKEN ARROW CITY COUNCIL MINUTES  
COUNCIL CHAMBERS  
220 SOUTH FIRST STREET  
BROKEN ARROW, OKLAHOMA 74012  
September 20, 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:** Police Chaplain Richard Manganero delivered the invocation.

**3. Roll Call**

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

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

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

**5. Consideration of Consent Agenda**

**Section Minutes:** Mayor Lester asked if there were any items to be removed from the Consent Agenda; there being none, he asked for a motion.

<b>Motion:</b>	<b>Move to approve the Consent Agenda as presented</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

- A. Approval of the meeting minutes of September 6, 2011
- B. Acceptance of the minutes of the Planning Commission meeting held August 25, 2011
- C. Approval of and authorization to execute Budget Amendment Number 4 for Fiscal Year 2011-2012
- D. Consideration and possible approval of Resolution No. 714, a Resolution approving the architect/engineer selection for preliminary engineering for the 101st Street Corridor from Elm Place to State Highway 51
- E. Acceptance of the property transfer of the Navy-Marine Corps Reserve Center located north of Kenosha Street and west of 9th Street to the City of Broken Arrow and authorize execution of the deeds subject to legal review
- F. Declaration of soil material as surplus pursuant to an Earthwork Agreement with Sherwood Construction Co., Inc. and approval of and authorization to execute the Agreement for the site adjacent to the northwest leg of the Aspen-Creek Turnpike Interchange

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### COUNCIL CHAMBERS

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#### 3. Roll Call

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

Absent: i None

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

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

#### 5. Consideration of Consent Agenda

Section Minutes: Mayor Lester asked if there were any items to be removed from the Consent Agenda; there being none, he asked for a motion.

Motion: Move to approve the Consent Agenda as presented

Motion b Richard Carter

Second b Jill Norman

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

Nays: None

A. Approval of the meeting minutes of September 6, 2011

B. Acceptance of the minutes of the Planning Commission meeting held August 25, 2011

C. Approval of and authorization to execute Budget Amendment Number 4 for Fiscal Year 2011-2012

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Broken Arrow City Council Page 1 of 1 1 September 20, 2011

- G. Approval of and authorization to purchase a switch (computer hardware) to include redundant power supplies and a redundant supervisor engine for the Police Department
- H. Approval of and authorization to declare as surplus and return current Interactive Voice Response server to Selectron Technology for trade-in on new server
- I. Approval of BACP 120 and BAZ 1869, Russ Harper, 1.00 acre, 1 lot, Level 6 to Level 2, A-1 to RS-2, 1,000 feet south of the southwest corner of Evans Road (South 225th East Avenue) and Washington Street (91st Street)
- J. Approval of conditional final plat, BattleCreek Veterinary Clinic, PT11-106, 2.35 acres, 2 lots, A-CH to CH/PUD 209, one-quarter mile south of Omaha Street (51st Street), west of Aspen Avenue (145th East Avenue)
- K. Approval of Final Acceptance for the Public Improvement at Muscogee Creek Nation Housing Authority Residential Drainage located at 20925 E. 36th Street
- L. Approval of the Claims List

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

**Section Minutes:** There were no items removed from the Consent Agenda.

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

**Section Minutes:** There were no public hearings, appeals, presentations, recognitions, awards, and oaths.

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

**Section Minutes:** Mayor Lester said no one signed up to address the Council.

**9. General Council Business**

- A. Consideration and possible approval of the Downtown Streetscape Guidelines for Main Street Improvements and authorization for retention of an engineering firm to prepare construction drawings for presentation to the Downtown Advisory Board for review and to the City Council for approval

**Item Minutes:** City Manager Dave Wooden said the Downtown Advisory Board approved this item after considering input from a subcommittee and has now forwarded this item to the Council for consideration. He informed the Council that if approved, construction would consist of two phases: phase 1, Main Street from Commercial to the railroad tracks, would not begin until after Mother's Day in 2012; phase 2, Main Street from Commercial to College, would not begin until after Mother's Day in 2013. After highlighting a few guidelines in the Fact Sheet included in the Agenda Packet, Mr. Wooden said Staff had received 12 letters and emails and five calls, all in favor of not changing the downtown Main Street construction. He then said Staff recommends that Council approve the Downtown Streetscape Guidelines for Main Street, direct Staff to hire an engineering firm to put together a set of plans and present the plans to the Downtown Advisory Board for review and then to the Council for approval.

- G. Approval of and authorization to purchase a switch computer hardware) to include redundant power supplies and a redundant supervisor engine for the Police Department
- H. Approval of and authorization to declare as surplus and return current Interactive Voice Response server to Selectron Technology for trade-in on new server
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Section Minutes: There were no items removed from the Consent Agenda.
7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths  
Section Minutes: There were no public hearings, appeals, presentations, recognitions, awards, and oaths.
8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services  
Section Minutes: Mayor Lester said no one signed up to address the Council.
9. General Council Business
- A. Consideration and possible approval of the Downtown Streetscape Guidelines for Main Street Improvements and authorization for retention of an engineering firm to prepare construction drawings for presentation to the Downtown Advisory Board for review and to the City Council for approval  
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Vice-Mayor Thurmond asked if the engineering firm would do traffic studies and perhaps make different recommendations regarding parking, and Mr. Wooden said his understanding is that the Downtown Advisory Board wants to see the guidelines followed, but the engineering firm's findings would certainly be considered.

Councilor Parks asked if approval of this item included approval of the parallel parking provision without consideration of the engineering firm's finding. Mayor Lester said the engineering firm's plans would be presented to the Council for approval at a later time.

Councilor Carter thanked the Downtown Advisory Board, the Streetscape subcommittee, and City Staff for the time and work they've put into this. He cited the parallel parking issue as the biggest concern for downtown merchants and residents.

Mayor Lester then announced that 12 people were present to speak against this item and three to speak in favor of it. He also said he had received a petition with 33 signatures of people opposed to this item, and 63 people had indicated their opposition to this item but did not wish to speak at the Council meeting.

Bob Fornell, representing Sewflakes, cited the deciding factor in the company's purchase of their building in downtown Broken Arrow as the number of parking spaces currently adjacent to the property. He said storefront parking is vital to the business and its customers.

Doug Walters next addressed the Council, and said it is not possible to parallel park if there is only one lane of traffic going in each direction. He suggested building a multi-story parking facility where one of the downtown banks is located and expressed concern that no one had yet consulted a civil or traffic engineer.

Jason Scarpa, owner of Main Street Tavern, then addressed the Council, expressing appreciation for the City and Council's support when he established his business. He expressed support for the entire plan, and asked Council to vote yes on this item.

James Harris next addressed the Council and cited concerns about emergency vehicle access to the downtown area under this plan.

Joe Crockett addressed the Council next and voiced his opposition to the proposed change to parallel parking.

Joe Cook then addressed the Council and expressed his support for this item, citing the need for downtown areas to adapt and change as needed.

Margaret Pantel then expressed her opposition to this item, stating that parallel parking is extremely dangerous.

Brett Watson addressed the Council next, describing this item as an excessive expenditure of taxpayer funds and asked the Council not to approve this item.

Tony Patrick then expressed his opposition to this item and questioned why no negative comments were allowed at a subcommittee meeting.

Vice-Mayor Thurmond asked if the engineering firm would do traffic studies and perhaps make different recommendations regarding parking, and Mr. Wooden said his understanding is that the Downtown Advisory Board wants to see the guidelines followed, but the engineering firm's findings would certainly be considered.

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Christine Joseph next addressed the Council, stating that more information about the ramifications of implementing this plan is needed, and expressed her opposition to the parallel parking proposal.

Dawn Seing, who said she also represented over 30 other businesses, then asked Council to approve this plan, stating that she doesn't think parallel parking is a problem.

Lynn Rainwater next addressed the Council, explaining how parallel parking in downtown Sapulpa adversely affected his business there.

Elisa Inglet, owner of Your Design, asked Council to consider the fact that there are currently not enough parking spaces in the downtown area.

Lauren Parris, owner of a Main Street business, then addressed the Council. She expressed concern about the quantity of street signs that may become necessary if this item is approved.

Mayor Lester then thanked each speaker for their comments and stated that Council does not take any of these opinions lightly. He also pointed out that any decision made this evening is not the final decision, and added that this item will return to Council for another vote before anything is finalized.

Councilor Parks then asked Mr. Wooden if the recent brickwork would have to be removed under this plan, and Mr. Wooden said it would all remain. Mr. Parks also suggested the use of alleys for business access; recommended considering ease of access through the downtown area to the Post Office; and, stated his opposition to parallel parking.

Agreeing with Councilor Parks, Vice-Mayor Thurmond said there are a lot of things about this plan that he likes, but he is not in favor of parallel parking.

Councilor Norman commented that she is living up to her pledge to implement her brother's vision for the growth and revitalization of downtown by voting yes.

Councilor Carter commented that due to the parallel parking issue, he would vote no if this were the final version of the plan. He pointed out that both the Council and the Downtown Advisory Board have the option to make changes to this plan after it comes back from the engineering firm.

Motion:	<b>Move to go forward with the guidelines, with some research and analysis as we get an engineering plan done and we may have to alter what we have but we want to go forward and improve downtown, but we want to look at the parking situation as part of that</b>
Motion by:	Craig Thurmond
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

At approximately 7:36 pm, Mayor Lester asked for a motion for a five minute recess.

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

Christine Joseph next addressed the Council, stating that more information about the ramifications of implementing this plan is needed, and expressed her opposition to the parallel parking proposal.

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Motion: Move to go forward with the guidelines, with some research and analysis as we get an engineering plan done and we may have to alter what we have but we want to go forward and improve downtown, but we want to look at the parking situation as part of that

Motion b Craig Thurmond

Second by: Jill Norman

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

Nays: None

At approximately 7:36 pm, Mayor Lester asked for a motion for a five minute recess.

Motion: Move to recess

Motion b Jill Norman

Second b Richard Carter

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

Nays: None

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Mayor Lester reconvened the Council meeting at approximately 7:42 pm.

- B. Consideration and approval of request by Gatesway Foundation to accept a payment plan for platting fees associated with PUD 176 and approval of the final plat of the Gatesway Foundation Campus

**Item Minutes:** City Manager Dave Wooden said this item allows the Gatesway Foundation to pay off their excess capacity sewer fee over five years with a monthly payment plan. He said Staff recommends approval of this payment plan for immediate release of the final plat of the Gatesway Foundation campus.

<b>Motion:</b>	<b>Move to approve the requested payment plan for the immediate release of the final Gatesway Foundation campus plat</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

- C. Consideration and possible approval of General Information and Inspection Checklists for One and Two Family Residential Construction

**Item Minutes:** City Manager Dave Wooden said this item was prepared by the Development Services Department and the Building Inspections Group to provide information to builders and ensure equality in inspections. He recommended that Council approve the General Information and Inspection Checklists for One and Two Family Residential Construction and described it as an outstanding job done by Michael Skates and his staff.

Vice-Mayor Thurmond said this is something the City has been trying to accomplish for years and described it as a huge step forward for consistency in residential construction. Mayor Lester also said this is a great step forward.

Councilor Parks asked if anything had been taken out of the code, and Mr. Wooden stated that these checklists are in full compliance with the code and ensure that all the minimum points are covered every time an inspection is done.

<b>Motion:</b>	<b>Move to approve the General Information and Inspection Checklists for One and Two Family Residential Construction</b>
<b>Motion by:</b>	Johnnie Parks
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

- D. Consideration and possible approval of Resolution No. 717, a Resolution of the Broken Arrow City Council approving and authorizing execution of a certain Economic Development Agreement by and among the Broken Arrow Economic Development Authority, The City of Broken Arrow and Dick's Sporting Goods, Inc.; designating representatives of the City of Broken for purposes of granting certain approvals and executing certain instruments as required under and in connection with said Agreements; containing other provisions relating thereto

**Item Minutes:** City Manager Dave Wooden asked Council to approve this resolution and authorize its execution, which will approve the City's agreement with Dick's Sporting Goods Store.

Mayor Lester reconvened the Council meeting at approximately 7:42 pm.

B. Consideration and approval of request by Gatesway Foundation to accept a payment plan for platting fees associated with PUD 176 and approval of the final plat of the Gatesway Foundation Campus

Item Minutes: City Manager Dave Wooden said this item allows the Gatesway Foundation to pay off their excess capacity sewer fee over five years with a monthly payment plan. He said Staff recommends approval of this payment plan for immediate release of the final plat of the Gatesway Foundation campus.

Motion: Move to approve the requested payment plan for the immediate release of the final Gatesway Foundation campus plat

Motion b Craig Thurmond

Second b Richard Carter

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

Nays: None

C. Consideration and possible approval of General Information and Inspection Checklists for One and Two Family Residential Construction

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Councilor Parks asked if anything had been taken out of the code, and Mr. Wooden stated that these checklists are in full compliance with the code and ensure that all the minimum points are covered every time an inspection is done.

Motion: Move to approve the General Information and Inspection Checklists for One and Two Family Residential Construction

Motion b Johnnie Parks

Second b Jill Norman

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

Nays: None

D. Consideration and possible approval of Resolution No. 717, a Resolution of the Broken Arrow City Council approving and authorizing execution of a certain Economic Development Agreement by and among the Broken Arrow Economic Development Authority, The City of Broken Arrow and Dick's Sporting Goods, Inc.; designating representatives of the City of Broken for purposes of granting certain approvals and executing certain instruments as required under and in connection with said Agreements; containing other provisions relating thereto

Item Minutes: City Manager Dave Wooden asked Council to approve this resolution and authorize its execution, which will approve the City's agreement with Dick's Sporting Goods Store.



Councilor Thurmond asked if the store has an opening date, and Mr. Wooden said they plan to open in mid-October.

<b>Motion:</b>	<b>Move to approve Resolution 717 and authorize execution</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

- E. Consideration and possible approval of Resolution No. 716, a Resolution of the Broken Arrow City Council providing for a change in the boundaries of wards within the City of Broken Arrow and finding that said change is necessary due to the increase in the City's population and the disproportionality of the ward population

**Item Minutes:** City Manager Dave Wooden reminded Council that they previously reviewed proposed changes in the boundaries for the City's wards, and said this resolution provides for those changes.

<b>Motion:</b>	<b>Move to approve Resolution 716 and authorize execution</b>
<b>Motion by:</b>	Johnnie Parks
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

- F. Consideration of and possible approval for nomination of Jeff Hartman for reappointment to the Convention and Visitors Bureau

**Item Minutes:** City Manager Dave Wooden said Jeff Hartman was appointed to the Convention and Visitors Bureau in 2005 and has been a very valuable and active member. He said Mr. Hartman has agreed to renew his term and Mayor Lester is recommending his reappointment with a term expiring September 30, 2013. He added that this motion approves his nomination, and approval of his appointment will occur at the next Council meeting.

<b>Motion:</b>	<b>Move to approve the nomination to reappoint Jeff Hartman to the Broken Arrow Convention and Visitors Bureau with a term expiring September 30, 2013</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

- G. Consideration of and possible approval for nomination of Patsy Terry for reappointment to the Convention and Visitors Bureau

**Item Minutes:** City Manager Dave Wooden said Patsy Terry was originally appointed to the Convention and Visitors Bureau in 2001 and as an active member brings a Main Street viewpoint to the Bureau. He said Ms. Terry has agreed to renew her term and Mayor Lester has recommended her reappointment with a term expiring September 30, 2013. Mr. Wooden added that this action would confirm her nomination, and the Council may choose to confirm her appointment at the next meeting.

Councilor Carter commented that Ms. Terry is a capable and energetic person.

Councilor Thurmond asked if the store has an opening date, and Mr. Wooden said they plan to open in mid-October.

Motion: Move to approve Resolution 717 and authorize execution

Motion b Richard Carter

Second b Jill Norman

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

Nays: None

E. Consideration and possible approval of Resolution No. 716, a Resolution of the Broken Arrow City Council providing for a change in the boundaries of wards within the City of Broken Arrow and finding that said change is necessary due to the increase in the City's population and the disproportionality of the ward population

Item Minutes: City Manager Dave Wooden reminded Council that they previously reviewed proposed changes in the boundaries for the City's wards, and said this resolution provides for those changes.

Motion: Move to approve Resolution 716 and authorize execution

Motion b Johnnie Parks

Second b Richard Carter

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

Nays: None

F. Consideration of and possible approval for nomination of Jeff Hartman for reappointment to the Convention and Visitors Bureau

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Motion: Move to approve the nomination to reappoint Jeff Hartman to the Broken Arrow Convention and Visitors Bureau with a term expiring September 30, 2013

Motion b Craig Thurmond

Second b Richard Carter

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

Nays: None

G. Consideration of and possible approval for nomination of Patsy Terry for reappointment to the Convention and Visitors Bureau

Item Minutes: City Manager Dave Wooden said Patsy Terry was originally appointed to the Convention and Visitors Bureau in 2001 and as an active member brings a Main Street viewpoint to the Bureau. He said Ms. Terry has agreed to renew her term and Mayor Lester has recommended her reappointment with a term expiring September 30, 2013. Mr. Wooden added that this action would confirm her nomination, and the Council may choose to confirm her appointment at the next meeting.

Councilor Carter commented that Ms. Terry is a capable and energetic person.



<b>Motion:</b>	<b>Move to approve the nomination to reappoint Patsy Terry to the Broken Arrow Convention and Visitors Bureau with a term expiring September 30, 2013</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Johnnie Parks
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

**10. City Manager's Report**

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

**11. Preview Ordinances**

- A. Consideration and possible approval of An Ordinance Amending the Broken Arrow Code, Chapter 2, Administration, Article I, In General, Section 2-1, Ward Boundaries and specifically providing for redistricting and defining the boundary lines of the four (4) wards of the City of Broken Arrow; Repealing all ordinances to the contrary; and declaring an emergency

**Item Minutes:** City Manager Dave Wooden said this item codifies the ward changes approved by Council in Resolution 716.

<b>Motion:</b>	<b>Move to approve the preview ordinance and set for adoption</b>
<b>Motion by:</b>	Jill Norman
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

- B. Consideration and possible approval of an Ordinance Amending the Broken Arrow Code, Chapter 12, Garbage and Other Refuse, Article II, Collection by the City; Section 12-25, Charges Generally; Minimum Rate Charge; Monthly Rates for Residential Customers and Specifically Increasing the Monthly Rates and Extra Charges; Repealing all ordinances to the contrary and providing for an effective date

**Item Minutes:** City Manager Dave Wooden said the City recovers its cost for utilities plus an additional limited amount in lieu of taxes which goes into the General Fund. He then referred to the statements on the Sanitation Utility provided in the Agenda Packet, pointing out that the changes in Sanitation Service necessitate a raise in rates. Mr. Wooden also highlighted the fact that Broken Arrow has the lowest combined utility rates in the area. He then asked that Council set this ordinance for adoption at the next meeting.

Vice-Mayor Thurmond commended City Staff for keeping these rates low.

Councilor Parks commented that he's excited about the City working towards the goal of adding recycling service to curbside pickup.

<b>Motion:</b>	<b>Move to approve the preview ordinance and set for adoption</b>
<b>Motion by:</b>	Jill Norman
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None



Motion: Move to approve the nomination to reappoint Patsy Terry to the Broken Arrow Convention and Visitors Bureau with a term expiring September 30, 2013

Motion b Richard Carter

Second b Johnnie Parks

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

Nays: None

10. City Manager's Report

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

11. Preview Ordinances

A. Consideration and possible approval of An Ordinance Amending the Broken Arrow Code, Chapter 2, Administration, Article I, In General, Section 2-1, Ward Boundaries and specifically providing for redistricting and defining the boundary lines of the four 4) wards of the City of Broken Arrow; Repealing all ordinances to the contrary; and declaring an emergency

Item Minutes: City Manager Dave Wooden said this item codifies the ward changes approved by Council in Resolution 716.

Motion: Move to approve the preview ordinance and set for adoption

Motion b Jill Norman

Second b Richard Carter

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

Nays: None

B. Consideration and possible approval of an Ordinance Amending the Broken Arrow Code, Chapter 12, Garbage and Other Refuse, Article II, Collection by the City; Section 12-25, Charges Generally; Minimum Rate Charge; Monthly Rates for Residential Customers and Specifically Increasing the Monthly Rates and Extra Charges; Repealing all ordinances to the contrary and providing for an effective date

Item Minutes: City Manager Dave Wooden said the City recovers its cost for utilities plus an additional limited amount in lieu of taxes which goes into the General Fund. He then referred to the statements on the Sanitation Utility provided in the Agenda Packet, pointing out that the changes in Sanitation Service necessitate a raise in rates. Mr. Wooden also highlighted the fact that Broken Arrow has the lowest combined utility rates in the area. He then asked that Council set this ordinance for adoption at the next meeting.

Vice-Mayor Thurmond commended City Staff for keeping these rates low.

Councilor Parks commented that he's excited about the City working towards the goal of adding recycling service to curbside pickup.

Motion: Move to approve the preview ordinance and set for adoption

Motion b Jill Norman

Second b Richard Carter

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

Nays: None

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- C. Consideration and possible approval of an Ordinance amending the Broken Arrow Code, Chapter 21, Article I, In General, Section 21-14, Streetlight Fee and, in particular, decreasing the Streetlight Fee; Repealing all ordinances to the contrary; and providing for an effective date

**Item Minutes:** City Manager Dave Wooden said the streetlight fee was established to pay electricity for streetlights and for major installations of new streetlights. He said the State of Oklahoma will pay for half of the lighting of the Broken Arrow Expressway, and as a result of this as well as the conversion of some lights to light-emitting diodes, Staff now recommends that the streetlight fee be lowered.

<b>Motion:</b>	<b>Move to approve the preview ordinance and set for adoption</b>
<b>Motion by:</b>	Johnnie Parks
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

- D. Consideration and possible approval of an ordinance amending the Broken Arrow Code by amending Chapter 24, Water, Sewers and Sewage Disposal, Article VI, Water Service Charges and Rates, Sections 24-608 Water Rates and 24-609 Special Contract Rates Established, and specifically increasing the base charge water rate and special contract rates for water; repealing all ordinances to the contrary; and providing for an effective date

**Item Minutes:** City Manager Dave Wooden referred to the Fact Sheet included in the Agenda Packet, highlighting the fact that the City's utility rates would still be the lowest in the area after this increase.

Councilor Parks asked if this increase would be three to four dollars a month and Mr. Wooden said yes, that would be the average increase.

<b>Motion:</b>	<b>Move to approve the preview ordinance and set for adoption</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

- E. Consideration and possible approval of an ordinance amending the Broken Arrow Code, Chapter 24, Water, Sewers and Storage Disposal, Article VII, Sewer Service Charges and Rates, Sections 24-704 Rates for Sanitary Service Established and 24-707 Special Contract Rates Established, by increasing the charges made for sewer service; repealing all ordinances to the contrary; and providing for an effective date

**Item Minutes:** City Manager Dave Wooden referred to the Fact Sheet included in the Agenda Packet, pointing out that with this increase Broken Arrow would have the fourth lowest sewer rates in the area. He said the average increase will probably be about three dollars per month.

<b>Motion:</b>	<b>Move to approve the preview ordinance and set for adoption</b>
<b>Motion by:</b>	Craig Thurmond
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

C. Consideration and possible approval of an Ordinance amending the Broken Arrow Code, Chapter 21, Article I, In General, Section 21-14, Streetlight Fee and, in particular, decreasing the Streetlight Fee; Repealing all ordinances to the contrary; and providing for an effective date  
Item Minutes: City Manager Dave Wooden said the streetlight fee was established to pay electricity for streetlights and for major installations of new streetlights. He said the State of Oklahoma will pay for half of the lighting of the Broken Arrow Expressway, and as a result of this as well as the conversion of some lights to light-emitting diodes, Staff now recommends that the streetlight fee be lowered.

Motion: Move to approve the preview ordinance and set for adoption

Motion b Johnnie Parks

Second b Jill Norman

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

Nays: None

D. Consideration and possible approval of an ordinance amending the Broken Arrow Code by amending Chapter 24, Water, Sewers and Sewage Disposal, Article VI, Water Service Charges and Rates, Sections 24-608 Water Rates and 24-609 Special Contract Rates Established, and specifically increasing the base charge water rate and special contract rates for water; repealing all ordinances to the contrary; and providing for an effective date

Item Minutes: City Manager Dave Wooden referred to the Fact Sheet included in the Agenda Packet, highlighting the fact that the City's utility rates would still be the lowest in the area after this increase.

Councilor Parks asked if this increase would be three to four dollars a month and Mr. Wooden said yes, that would be the average increase.

Motion: Move to approve the preview ordinance and set for adoption

Motion b Richard Carter

Second b Jill Norman

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

Nays: None

E. Consideration and possible approval of an ordinance amending the Broken Arrow Code, Chapter 24, Water, Sewers and Storage Disposal, Article VII, Sewer Service Charges and Rates, Sections 24-704 Rates for Sanitary Service Established and 24-707 Special Contract Rates Established, by increasing the charges made for sewer service; repealing all ordinances to the contrary; and providing for an effective date

Item Minutes: City Manager Dave Wooden referred to the Fact Sheet included in the Agenda Packet, pointing out that with this increase Broken Arrow would have the fourth lowest sewer rates in the area. He said the average increase will probably be about three dollars per month.

Motion: Move to approve the preview ordinance and set for adoption

Motion b Craig Thurmond

Second b Richard Carter

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

Nays: None

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- F. Consideration and possible approval of an ordinance amending the Broken Arrow Code, Chapter 25, Stormwater Management, Article VII, Stormwater and Floodplain Fee Schedules; Section 25-601, Stormwater Drainage System Service Charge and specifically increasing the charge establishing an effective date and Section 25-602, Fee-in-Lieu of detention rate; Repealing all ordinances to the contrary; and providing for an effective date

**Item Minutes:** City Manager Dave Wooden said Staff has recommended that the City increase the stormwater fees as specified in the Fact Sheet included in the Agenda Packet, pointing out that Broken Arrow's fees will still be significantly lower than Tulsa's.

<b>Motion:</b>	<b>Move to approve the preview ordinance and set for adoption</b>
<b>Motion by:</b>	Jill Norman
<b>Second by:</b>	Johnnie Parks
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

**12. Ordinances**

- A. Adopt Ordinance No. 3175, an amendment to the City of Broken Arrow Zoning Ordinance (No. 2931) amending Chapter 5, Development Standards, Section 5.4.K Off-street parking and loading and specifically regarding pavement of parking surfaces and driveways in residential and agricultural districts; repealing all ordinances to the contrary

**Item Minutes:** City Manager Dave Wooden said this ordinance addresses a change in parking and driveway requirements in non-platted areas, and there have been no changes since it was reviewed by Council at the last meeting.

<b>Motion:</b>	<b>Move to adopt Ordinance Number 3175</b>
<b>Motion by:</b>	Johnnie Parks
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

- B. Adopt Ordinance No. 3176, an amendment to the City of Broken Arrow Zoning Ordinance (Ordinance No. 2931) amending Chapter 3, Use Regulations, Section 3.4 Temporary Uses and Structures and specifically providing for the use of temporary storage containers (POD-type containers)

**Item Minutes:** City Manager Dave Wooden said this ordinance addresses the use of the POD containers, and there have been no changes since it was reviewed by Council at the last meeting.

<b>Motion:</b>	<b>Move to adopt Ordinance Number 3176</b>
<b>Motion by:</b>	Johnnie Parks
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

- C. Adopt Ordinance No. 3177 amending Chapter 2, Article IX Employee Rules and Regulations, Section 2-152 of the Broken Arrow Code Pertaining to Vacation Leave and specifically providing for increased vacation after 14 years of service; Repealing all Ordinances to the Contrary; and Declaring an Emergency

F. Consideration and possible approval of an ordinance amending the Broken Arrow Code, Chapter 25, Stormwater Management, Article VII, Stormwater and Floodplain Fee Schedules; Section 25-601, Stormwater Drainage System Service Charge and specifically increasing the charge establishing an effective date and Section 25-602, Fee-in-Lieu of detention rate; Repealing all ordinances to the contrary; and providing for an effective date

Item Minutes: City Manager Dave Wooden said Staff has recommended that the City increase the stormwater fees as specified in the Fact Sheet included in the Agenda Packet, pointing out that Broken Arrow's fees will still be significantly lower than Tulsa's.

Motion: Move to approve the preview ordinance and set for adoption

Motion b Jill Norman

Second b Johnnie Parks

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

Nays: None

## 12. Ordinances

A. Adopt Ordinance No. 3175, an amendment to the City of Broken Arrow Zoning Ordinance No. 2931) amending Chapter 5, Development Standards, Section 5.4.K Off-street parking and loading and specifically regarding pavement of parking surfaces and driveways in residential and agricultural districts; repealing all ordinances to the contrary

Item Minutes: City Manager Dave Wooden said this ordinance addresses a change in parking and driveway requirements in non-platted areas, and there have been no changes since it was reviewed by Council at the last meeting.

Motion: Move to adopt Ordinance Number 3175

Motion b Johnnie Parks

Second b Richard Carter

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

Nays: None

B. Adopt Ordinance No. 3176, an amendment to the City of Broken Arrow Zoning Ordinance Ordinance No. 2931) amending Chapter 3, Use Regulations, Section 3.4 Temporary Uses and Structures and specifically providing for the use of temporary storage containers (POD-type containers)

Item Minutes: City Manager Dave Wooden said this ordinance addresses the use of the POD containers, and there have been no changes since it was reviewed by Council at the last meeting.

Motion: Move to adopt Ordinance Number 3176

Motion b Johnnie Parks

Second b Jill Norman

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

Nays: None

C. Adopt Ordinance No. 3177 amending Chapter 2, Article IX Employee Rules and Regulations, Section 2-152 of the Broken Arrow Code Pertaining to Vacation Leave and specifically providing for increased vacation after 14 years of service; Repealing all Ordinances to the Contrary; and Declaring an Emergency

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**Item Minutes:** City Manager Dave Wooden said this ordinance changes vacation leave provisions for non-union employees.

<b>Motion:</b>	<b>Move to adopt Ordinance Number 3177</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

<b>Motion:</b>	<b>Move for the emergency clause on Ordinance Number 3177</b>
<b>Motion by:</b>	Johnnie Parks
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
<b>Nays:</b>	None

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

**Section Minutes:** There were no remarks or inquiries by governing body members.

At approximately 8:17 p.m., Mayor Lester asked for a motion to recess into the Broken Arrow Municipal Authority meeting and the Broken Arrow Economic Development Authority meeting.

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

Mayor Lester reconvened the regular Council meeting at approximately 8:19 p.m.

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

Mayor Lester reconvened the regular session of the City Council meeting at approximately 8:26 p.m.

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

Item Minutes: City Manager Dave Wooden said this ordinance changes vacation leave provisions for non-union employees.

Motion: Move to adopt Ordinance Number 3177

Motion b Richard Carter

Second b Jill Norman

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

Nays: None

Motion: Move for the emergency clause on Ordinance Number 3177

Motion b Johnnie Parks

Second b Jill Norman

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

Nays: None

13. Remarks and Inquiries by Governing Body Members

Section Minutes: There were no remarks or inquiries by governing body members.

At approximately 8:17 p.m., Mayor Lester asked for a motion to recess into the Broken Arrow Municipal Authority meeting and the Broken Arrow Economic Development Authority meeting.

Motion: Move to recess into the Broken Arrow Municipal Authority meeting and the Broken Arrow Economic Development Authority meeting

Motion b Craig Thurmond

Second b Richard Carter

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

Nays: None

Mayor Lester reconvened the regular Council meeting at approximately 8:19 p.m.

Motion: Move to take a recess prior to entering into Executive Session

Motion b Richard Carter

Second b Jill Norman

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

Nays: None

Mayor Lester reconvened the regular session of the City Council meeting at approximately 8:26 p.m.

Motion: Move to enter into Executive Session

Motion b Jill Norman

Second b Craig Thurmond

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

Nays: None

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14. **Executive Session** for the purpose of confidential communications (and possible action in open session) between the City Council, the City Manager, and the City Attorney on matters pertaining to economic development in the area between Aspen and Elm Place and the Creek Turnpike and Tucson Street, including the transfer of property, financing and the creation of a proposal to entice businesses to locate within the City of Broken Arrow. The Council is hereby advised that the public disclosure of the subject businesses and the related matters to be discussed would violate the confidentiality of the businesses and would interfere in the development of products and services, under 25 O.S. §307(C)(10). 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.

Mayor Lester reconvened the regular session of the City Council meeting at approximately 8:55 p.m., and the room was opened for those in attendance.

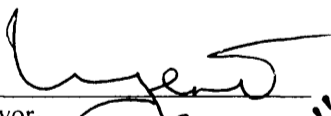


<b>Motion:</b>	<b>This executive session was necessary as public disclosure of the matters discussed would violate the confidentiality of the subject businesses and would interfere with the development of services.</b>
Motion by:	Craig Thurmond
Second by:	Richard Carter
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None
<b>Motion:</b>	<b>Move to authorize the Economic Development Coordinator to continue to negotiate for an economic development proposal for property located in the area between Aspen and Elm Place and the Creek Turnpike and Tucson Street.</b>
Motion by:	Craig Thurmond
Second by:	Richard Carter
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond, Mike Lester
Nays:	None

15. **Adjournment**

**Section Minutes:** The meeting adjourned at approximately 8:56 p.m.

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

Attest:

  
 Mayor  
  
 City Clerk  


14. Executive Session for the purpose of confidential communications and possible action in open session) between the City Council, the City Manager, and the City Attorney on matters pertaining to economic development in the area between Aspen and Elm Place and the Creek Turnpike and Tucson Street, including the transfer of property, financing and the creation of a proposal to entice businesses to locate within the City of Broken Arrow. The Council is hereby advised that the public disclosure of the subject businesses and the related matters to be discussed would violate the confidentiality of the businesses and would interfere in the development of products and services, under 25 O.S.

307(C)(10). 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.

Mayor Lester reconvened the regular session of the City Council meeting at approximately 8:55 p.m., and the room was opened for those in attendance.

Motion: This executive session was necessary as public disclosure of the matters discussed would violate the confidentiality of the subject businesses and would interfere with the development of services.

Motion b Craig Thurmond

Second b Richard Carter

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

Nays: None

Motion: Move to authorize the Economic Development Coordinator to continue to negotiate for an economic development proposal for property located in the area between Aspen and Elm Place and the Creek Turnpike and Tucson Street.

Motion b Craig Thurmond

Second by: Richard Carter

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

Nays: None

15. Adjournment

Section Minutes: The meeting adjourned at approximately 8:56 p.m.

Motion: Move to adjourn

Motion b Johnnie Parks

Second b Jill Norman

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

Nays: None

Attest:

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