

**BROKEN ARROW CITY COUNCIL MINUTES
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
December 6, 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: There was no one present to deliver an invocation.

3. Roll Call

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

4. Pledge of Allegiance to the Flag

Section Minutes: Mayor Lester led the Pledge of Allegiance to the Flag. The Mayor then recognized the students from All Saints School who were in attendance to observe the meeting for their government class.

5. Consideration of Consent Agenda

Section Minutes: Councilor Norman said she would like to remove Item 5C. Mayor Lester asked for a motion to approve the Consent Agenda except Item 5C.

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

- A. Approval of the meeting minutes of November 15, 2011
- B. Approval of Workers' Compensation Court Order for Leslie Morris, Street/Storm Water Department Employee
- C. Approval to reject all bids on asbestos removal and demolition of 2301 W Commercial and asbestos removal of 17820 E 101st St nuisance cases and specifically finding that the interest of the citizens of Broken Arrow will be served by rejection
- D. Approval of bids received, award of the most advantageous bid, and authorization to execute a construction contract for Central Park Shelter Foundation and Structure, a Community Development Block Grant project
- E. Approval of bids received, award of the most advantageous bid, and approval to execute a construction contract for Events Park Electrical Service
- F. Approval of bids received, award of the most advantageous bid, and authorization to execute a construction contract for the Oneta Utility Assessment District
- G. Approval of bids received and award most advantageous bid to Physio Control for 2 defibrillator/monitors
- H. Notifications of Contracts, Change Orders, Quantity Changes and Work Orders with a value of less than \$25,000 on Engineering and Construction Contracts since the last City Council Meeting
- I. Acceptance of a General Warranty Deed and a Utility Easement located in a tract of land belonging to Russell Lee Harper, approximately one-eighth mile south of Washington Street (91st Street) on the west side of Evans Road (225th East Avenue), Broken Arrow (NE/4 Section 20, T18N, R15E)
- J. Approval of Final Acceptance for the Public Improvement for First Baptist Church, 100 W. Albany St.
- K. Approval of the Claims List

6. Consideration of Items Removed from Consent Agenda

5C. Approval to reject all bids on asbestos removal and demolition of 2301 W Commercial and asbestos removal of 17820 E 101st St nuisance cases and specifically finding that the interest of the citizens of Broken Arrow will be served by rejection

BROKEN ARROW CITY COUNCIL MINUTES

COUNCIL CHAMBERS

220 SOUTH FIRST STREET

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December 6, 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

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

Roll Call

Lester

Johnnie

Johnnie Parks, Jill Jill Norman Norman, Richard Carter, Craig Thurmond and Mike e Lester

Present: None

Absent: Ne Parks

4. Pledge of Allegiance to the Flag

Section Minutes: Mayor Lester led the Pledge of Allegiance to the Flag. The Mayor then recognized the students from All Saints School who were in attendance to observe the meeting for their government class.

5. Consideration of Consent Agenda

Motion: Move to approve the Consent Agenda except Item 5C

Motion b Johnnie Parks

Second b Richard Carter

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

Nays: None

A. Approval of the meeting minutes of November 15, 2011

Section Minutes: Councilor Norman said she would like to remove Item 5C. Mayor Lester asked for a

B. Approval of Workers' Compensation Court Order for Leslie Morris, Street/Storm Water Department Employee

C. Approval to reject all bids on asbestos removal and demolition of 2301 W Commercial and asbestos removal of 17820 E 101st St nuisance cases and specifically finding that the interest of the citizens of Broken Arrow will be served by rejection

D. Approval of bids received, award of the most advantageous bid, and authorization to execute a construction contract for Central Park Shelter Foundation and Structure, a Community Development Block Grant project

E. Approval of bids received, award of the most advantageous bid, and approval to execute a construction contract for Events Park Electrical Service

F. Approval of bids received, award of the most advantageous bid, and authorization to execute a construction contract for the Oneta Utility Assessment District

G. Approval of bids received and award most advantageous bid to Physio Control for 2

defibrillator/monitors

H. Notifications of Contracts, Change Orders, Quantity Changes and Work Orders with a value of less than \$25,000 on Engineering and Construction Contracts since the last City Council Meeting

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J. Approval of Final Acceptance for the Public Improvement for First Baptist Church, 100 W. Albany St.

K. Approval of the Claims List

6. Consideration of Items Removed from Consent Agenda

SC. Approval to reject all bids on asbestos removal and demolition of 2301 W Commercial and asbestos removal of 17820 E 101st St nuisance cases and specifically finding that the interest of the citizens of Broken Arrow will be served by rejection

motion to approve the Consent Agenda except Item SC.

December 6, 2011

Broken Arrow City Council Agenda Page 1 of 5

Item Minutes: Councilor Norman asked if the structures were residences, if they were occupied and about the City's involvement. City Manager, Mr. Dave Wooden said that were residences which were declared uninhabitable, and it is required that the City abate the asbestos before the structures can be torn down, and that the residences were vacant.

Motion:	Move to approve rejection of all bids on asbestos removal and demolition of 2301 W Commercial and asbestos removal of 17820 E 101st St nuisance cases and specifically finding that the interest of the citizens of Broken Arrow will be served by rejection
Motion by:	Richard Carter
Second by:	Jill Norman
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
Nays:	None

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

There were no public hearings, appeals, presentations, recognitions, awards or oaths.

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

There were no requests to speak.

9. General Council Business

- A. Consideration and possible approval of Resolution No. 722, A Resolution establishing support of the Marketplace Equity Act (MEA) and Marketplace Fairness Act (MFA) which empowers states to collect sales taxes owed at the point of purchase from online retailers

Item Minutes: Mr. Wooden stated that neither the State of Oklahoma nor any of its municipalities may collect sales tax from out-of-state retailers, including online retailers, who do not have an anchor location within the State. Mr. Wooden explained that Resolution No. 722 will show the City's support by urging Congress approve the Marketplace Equity Act (MEA) and the Marketplace Fairness Act (MFA) which will allow States and their subdivisions to collect sales tax from out-of-state retailers.

Motion:	Move to approve Resolution No. 722, A Resolution establishing support of the Marketplace Equity Act (MEA) and Marketplace Fairness Act (MFA) which empowers states to collect sales taxes owed at the point of purchase from online retailers
Motion by:	Craig Thurmond
Second by:	Richard Carter
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
Nays:	None

- B. Consideration and possible approval of a new Department Director Compensation Plan

Item Minutes: Mr. Wooden provided a brief background as stated in the Fact Sheet provided in the agenda packets, regarding the Departmental Director Evaluation and Compensation system established in 2007 and adopted by the City Council through Ordinance #2841 (Section 2-165 of the City Code). Mr. Wooden explained that the current system provides for increases in department director compensation but has not maintained salaries competitive with department directors in other Oklahoma cities. Mr. Wooden recommended that the department directors be returned to the traditional salary step pay plan system that was in place prior to 2007, that they be eligible for satisfactory step increases as all other employees.

Motion:	Move to approve a new Department Director Compensation Plan
Motion by:	Richard Carter
Second by:	Johnnie Parks
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
Nays:	None

10. City Manager's Report

There was no City Manager's report.

11. Preview Ordinances

- A. An Ordinance amending Chapter 2, Article IX, Section 2-165 of the Broken Arrow Code pertaining to Department Director evaluation and compensation; repealing all ordinances to the contrary; and declaring an emergency

Item Minutes: Mr. Wooden stated that earlier this evening, the Council approved new Compensation Plan for the Department Directors. He said that this preview ordinance revises the ordinance including elimination of the maximum eight percent wage adjustment, provides for base salary increases in the form of step raises for Department Directors whose performance is evaluated as consistently competent; and, he said the revisions also include

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Motion: Move to approve rejection of all bids on asbestos removal and demolition of 2301 W Commercial and asbestos removal of 17820 E 101st St nuisance cases and specifically finding that the interest of the citizens of Broken Arrow will be served by rejection

Motion b Richard Carter

Second b Jill Norman

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

Nays: None

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

There were no public hearings, appeals, presentations, recognitions, awards or oaths.

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

There were no requests to speak.

9. General Council Business

A. Consideration and possible approval of Resolution No. 722, A Resolution establishing support of the Marketplace Equity Act (MEA) and Marketplace Fairness Act (MFA) which empowers states to collect sales taxes owed at the point of purchase from online retailers

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Motion: Move to approve Resolution No. 722, A Resolution establishing support of the Marketplace Equity Act (MEA) and Marketplace Fairness Act (MFA) which empowers states to collect sales taxes owed at the point of purchase from online retailers

Motion b Craig Thurmond

Second b Richard Carter

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

Nays: None

B. Consideration and possible approval of a new Department Director Compensation Plan

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Motion: Move to approve a new Department Director Compensation Plan

Motion b Richard Carter

Second b Johnnie Parks

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

Nays: None

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City Manager's Report

There was no City Manager's report.

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elimination of the Assistant City Manager position (Section 2-166 of the Code) and reinstatement for Directors of the longevity benefit which is designed to encourage people who have topped out in their pay plan to remain with the City thus retaining their expertise.

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

- B. An ordinance amending Chapter 16, Article I, Section 16-10, Furnishing of tobacco products to minors; repealing all ordinances to the contrary; and declaring an emergency

Item Minutes: Mr. Wooden stated that this preview ordinance amends and clarifies the punishment imposed for any person who furnishes any tobacco product to a minor, and brings the City Code into compliance with the Oklahoma State Statute.

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

12. Ordinances

- A. Adopt Ordinance No. 3178 - An ordinance amending the Broken Arrow Nuisance Code, Chapter 15 by correcting misspellings and including better nuisance definitions; and adopting the 2009 International Property Maintenance Code as the Property Maintenance and Existing Structures Code; repealing all ordinances to the contrary, and declaring an emergency

Item Minutes: Mayor Lester said Ordinance 3178 would be tabled until it is brought back to Council.

Motion:	Move to table Ordinance No. 3178 until it is brought back to Council
Motion by:	Craig Thurmond
Second by:	Johnnie Parks
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
Nays:	None

Mayor Lester said that Ordinances 3186, 3187, 3188, 3189, 3190, 3191 and 3192 would be taken together.

- B. Adopt Ordinance No. 3186 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1864 and granting RS-3 zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

Item Minutes: Mayor Lester said that Ordinances 3186, 3187, 3188, 3189, 3190, 3191, and 3192 are all zoning ordinances updating the Zoning Code as previously approved by Council.

- C. Adopt Ordinance No. 3187 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1865 and granting CG zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- D. Adopt Ordinance No. 3188 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1858 and granting R-2 zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- E. Adopt Ordinance No. 3189 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1857 and granting R-2 zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- F. Adopt Ordinance No. 3190 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1818 and granting IL zoning and PUD 193 classification to be placed upon the tract and repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- G. Adopt Ordinance No. 3191 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving BAZ 1859 and granting RS-1 zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- H. Adopt Ordinance No. 3192 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931) approving PUD 141 classification to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

elimination of the Assistant City Manager position Section 2-166 of the Code) and reinstatement for Directors of the longevity benefit which is designed to encourage people who have topped out in their pay plan to remain with the City thus retaining their expertise.
Motion: Move to set for adoption at the next Council meeting

Motion b Richard Carter

Second b Jill Norman

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

Nays: None

B. An ordinance amending Chapter 16, Article I,, Section 16-10, Furnishing of tobacco products to minors; repealing all ordinances to the contrary; and declaring an emergency

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

Motion b Craig Thurmond

Second b Jill Norman

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

Nays: None

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Ordinances

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Second b Johnnie Parks

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

Nays: None

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B. Adopt Ordinance No. 3186 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma Ordinance No. 2931) approving BAZ 1864 and granting RS-3 zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

Item Minutes: Mayor Lester said that Ordinances 3186, 3187, 3188, 3189, 3190, 3191, and 3192 are all zoning ordinances updating the Zoning Code as previously approved by Council.

C. Adopt Ordinance No. 3187 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma Ordinance No. 293 1) approving BAZ 1865 and granting CG zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

D. Adopt Ordinance No. 3188 amending the zoning Ordinance of the City of Broken Arrow, Oklahoma

Ordinance No. 2931) approving BAZ 1858 and granting R-2 zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

E. Adopt Ordinance No. 3189 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma

Ordinance No. 2931) approving BAZ 1857 and granting R-2 zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

F. Adopt Ordinance No. 3190 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma

Ordinance No. 2931) approving BAZ 1818 and granting IL zoning and PUD 193 classification to be placed upon the tract and repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

G. Adopt Ordinance No. 3191 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma

Ordinance No. 2931) approving BAZ 1859 and granting RS-1 zoning to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

H. Adopt Ordinance No. 3192 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma

Ordinance No. 2931) approving PUD 141 classification to be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

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Motion:	Move to adopt Ordinances 3186, 3187, 3188, 3189, 3190, 3191 and 3192
Motion by:	Johnnie Parks
Second by:	Richard Carter
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
Nays:	None

Motion:	Move to approve the Emergency Clause for Ordinances 3186, 3187, 3188, 3189, 3190, 3191 and 3192
Motion by:	Johnnie Parks
Second by:	Richard Carter
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
Nays:	None

- I. Adopt Ordinance No. 3193 - An ordinance closing a partial utility easement, located in Lot One (1), Block One (1) Sterling Heights 1st Addition, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, according to the recorded plat thereof, providing for reservation of rights within the closed easement, and declaring an emergency

Item Minutes: Mr. Wooden stated that the property owner is requesting closure of a portion of a utility easement. Mr. Wooden said the property is being replatted and utility services to this property are provided in utility easements other than the portion requested to be closed; and, he added that the owner plans to apply to District Court for foreclosure of the portion of the easement, and that staff has reviewed all documents and attachments pertaining to this request and recommends closing the part of the utility easement as requested.

Motion:	Move to adopt Ordinance No. 3193
Motion by:	Jill Norman
Second by:	Richard Carter
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
Nays:	None

Motion:	Move to approve the Emergency Clause for Ordinance No. 3193
Motion by:	Jill Norman
Second by:	Richard Carter
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
Nays:	None

13. Remarks and Inquiries by Governing Body Members

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

At approximately 6:45 p.m., Mayor Lester asked for a motion to recess in order to enter into the Broken Arrow Municipal Authority and the Broken Arrow Economic Development Authority meetings.

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

Mayor Lester reconvened the regular session of the City Council at approximately 6:47 p.m. The Mayor asked for a brief recess to clear the room prior to entering into Executive Session.

Motion:	Move to recess prior to entering into Executive Session
Motion by:	Jill Norman
Second by:	Richard Carter
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
Nays:	None

Mayor Lester reconvened the regular session at approximately 6:51 p.m.

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

Motion: Move to adopt Ordinances 3186, 3187, 3188, 3189, 3190, 3191 and 3192

Motion b Johnnie Parks

Second b Richard Carter

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

Nays: None

Motion: Move to approve the Emergency Clause for Ordinances 3186, 3187, 3188, 3189, 3190, 3191 and 3192

Motion b Johnnie Parks

Second b Richard Carter

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

Nays: None

1. Adopt Ordinance No. 3193 An ordinance closing a partial utility easement, located in Lot One 1), Block One 1) Sterling Heights 1st Addition, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, according to the recorded plat thereof, providing for reservation of rights within the closed easement, and declaring an emergency

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Motion: Move to adopt Ordinance No. 3193

Motion b Jill Norman

Second b Richard Carter

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

Nays: None

Motion: Move to approve the Emergency Clause for Ordinance No. 3193

Motion b Jill Norman

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Nays: None

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Motion: Move to recess in order to enter into the Broken Arrow Municipal Authority and the Broken Arrow Economic Development Authority meetings

Motion b Jill Norman

Second b Johnnie Parks

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

Nays: None

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Motion: Move to recess prior to entering into Executive Session

Motion b Jill Norman

Second b Richard Carter

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

Nays: None

Mayor Lester reconvened the regular session at approximately 6:51 p.m.

Motion: Move to enter into Executive Session

Motion b Crai Thurmond

Second b Jill Norman

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

Nays: None

Broken Arrow City Council Agenda Page 4 of 5 December 6, 2011

14. **Executive Session** for the purpose of confidential communications (and possible authorization to proceed with negotiations for the possible purchase and appraisal of real property in open session) between the City Council, the City Manager, and the City Attorney on the potential purchase of real property located at College and Main Street in the City of Broken Arrow, Tulsa County, Oklahoma, under 25 O.S. §307(B)(3); and discussing the terms of the employment and evaluation of David L. Wooden and taking appropriate action as necessary in open session, under 25 O.S. § 307 (B)(1); After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

Mayor Lester reconvened the regular session of the City Council at approximately 7:24 p.m. and the room was opened for those in attendance. The Mayor asked if there were any motions.

Motion:	Move to authorize the City Manager to continue negotiations for the purchase of the property referenced in the Agenda
Motion by:	Craig Thurmond
Second by:	Richard Carter
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
Nays:	None

Motion:	Move to authorize the City Attorney to present an amendment to the City Manager's contract at the next Council meeting
Motion by:	Craig Thurmond
Second by:	Richard Carter
Ayes:	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond and Mike Lester
Nays:	None

15. **Adjournment**

Section Minutes: The meeting adjourned at approximately 7:26 p.m.

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



 Mayor



Attest:



 City Clerk

14. Executive Session for the purpose of confidential communications and possible authorization to proceed with negotiations for the possible purchase and appraisal of real property in open session) between the City Council, the City Manager, and the City Attorney on the potential purchase of real property located at College and Main Street in the City of Broken Arrow, Tulsa County, Oklahoma, under 25 O.S. 307(B)(3); and discussing the terms of the employment and evaluation of David L. Wooden and taking appropriate action as necessary in open session, under 25 O.S. 307 B)(1); After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

Mayor Lester reconvened the regular session of the City Council at approximately 7:24 p.m. and the room was opened for those in attendance. The Mayor asked if there were any motions.

Motion: Move to authorize the City Manager to continue negotiations for the purchase of the property referenced in the Agenda

Motion b Craig Thurmond

Second b Richard Carter

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

Nays: None

Motion: Move to authorize the City Attorney to present an amendment to the City Manager's contract at the next Council meeting

Motion b Craig Thurmond

Second b Richard Carter

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

Nays: None

15. Adjournment

Section Minutes: The meeting adjourned at approximately 7:26 p.m.

Motion: Move to adjourn

Motion b Jill Norman

Second b Johnnie Parks

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

Nays: None

oAttest:

City Cler

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Broken Arrow City Council Agenda Page 5 of 5 December 6, 2011