

**BROKEN ARROW CITY COUNCIL  
MINUTES  
COUNCIL CHAMBERS  
220 SOUTH FIRST STREET  
BROKEN ARROW, OKLAHOMA 74012  
October 20, 2009**

**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:** Pastor Mike Hutsell, Grace Free Will Baptist Church, delivered the Invocation.

**3. Roll Call**

<b>Present:</b>	Philip Tucker, Richard Carter and Mike Lester
<b>Absent:</b>	Craig Thurmond and Wade McCaleb

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

**Section Minutes:** Mayor Lester 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 to approve as presented.

<b>Motion:</b>	<b>Move to approve the Consent Agenda as presented</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Philip Tucker
<b>Ayes:</b>	Richard Carter, Philip Tucker, Mike Lester
<b>Nays:</b>	None

- A. Approval of the regular meeting minutes of October 6, 2009
- B. Acceptance of the minutes of the Planning Commission meeting held September 24, 2009.
- C. Approve request from Broken Arrow Civitans for issuance of a special events permit to hold the annual Christmas Parade on Saturday, December 5, 2009 at 10:00 A.M.
- D. Approval of amended calendar for the 2009-2010 Youth City Council meetings
- E. Approval of the Workers' Compensation Order on Broken Arrow Police Officer Phillip Short.
- F. Approval of an Attorney Engagement Agreement between the City of Broken Arrow and Hall, Estill, Hardwick, Gable, Golden & Nelson, P.C.
- G. Approval of an Attorney Engagement Agreement between the City of Broken Arrow and McAfee & Taft
- H. Approval of an Attorney Engagement Agreement between the City of Broken Arrow and Newton, O'Connor, Turner & Ketchum, P.C.

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Mike Lester

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Section Minutes: Mayor Lester 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 to approve as presented.

Motion: Move to approve the Consent Agenda as presented

Motion by Richard Carter

Second by Philip Tucker

Ayes: Richard Carter, Philip Tucker, Mike Lester

Nays: None

A. Approval of the regular meeting minutes of October 6, 2009

B. Acceptance of the minutes of the Planning Commission meeting held September 24, 2009.

C. Approve request from Broken Arrow Civitans for issuance of a special events permit to hold the annual Christmas Parade on Saturday, December 5, 2009 at 10:00 A.M.

D. Approval of amended calendar for the 2009-2010 Youth City Council meetings

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F. Approval of an Attorney Engagement Agreement between the City of Broken Arrow and Hall, Estill, Hardwick, Gable, Golden & Nelson, P.C.

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H. Approval of an Attorney Engagement Agreement between the City of Broken Arrow and Newton, O'Connor, Turner & Ketchum, P.C.

# Broken Arrow City Council Agenda Page 1 of 7 October 20, 2009

- I. Approval of an Agreement between the City of Broken Arrow and Youth Services of Tulsa County, Inc.
- J. Approval of Recommendation to maintain the City's current parking restrictions for event parking at the Broken Arrow Public Schools Performing Arts Center and to examine concerns or complaints on an individual basis with the possibility of making adjustments if necessary
- K. Approval of traffic calming policy implementation for Oak Avenue between Omaha Street and Narcissus Avenue
- L. Approval of SP 234, Public Schools and School Related Facilities, 99.05 acres, 1 lot, A-1, Southwest corner of Albany Street and 23rd Street, Broken Arrow High School and Westwood Elementary.
- M. Acceptance of a deed of dedication from Berkshire Development, LLC (S17 T18N R14E) (Project: Castlegate "As-Builts")
- N. 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**

- A. Approval of Proclamation recognizing Dr. Ed Huceby and proclaiming November 5 2009 as "Dr. Ed Huceby Day"

**Item Minutes:** Mayor Lester presented this item stating that the Proclamation recognizes the accomplishments of Dr. Ed Huceby for his decade of service to NSU-Broken Arrow and to the community, and proclaims November 5, 2009 as "Dr. Ed Huceby Day"; and, the Proclamation will be presented on November 5, 2009 at a luncheon honoring Dr. Huceby who will be leaving NSU to accept a new position as President of Southwestern Christian University beginning in January 2010.

<b>Motion:</b>	<b>Move to approve Proclamation recognizing Dr. Ed Huceby and proclaiming November 5 2009 as "Dr. Ed Huceby Day"</b>
<b>Motion by:</b>	Philip Tucker
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Philip Tucker, Richard Carter, Mike Lester
<b>Nays:</b>	None

- B. Approval of Proclamation declaring November 2009 as Pancreatic Cancer Awareness month

**Item Minutes:** Mayor Lester presented this Item stating that this Proclamation recognizes the services provided by the Pancreatic Cancer Action Network and declares November 2009 as Pancreatic Cancer Awareness month. Mayor Lester read the Proclamation aloud and presented it to Mr. Jay Stern who was present to receive it.

<b>Motion:</b>	<b>Move to approve Proclamation declaring November 2009 as Pancreatic Cancer Awareness month</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Philip Tucker
<b>Ayes:</b>	Richard Carter, Philip Tucker, Mike Lester
<b>Nays:</b>	None

I. Approval of an Agreement between the City of Broken Arrow and Youth Services of Tulsa County, Inc.

J. Approval of Recommendation to maintain the City's current parking restrictions for event parking at the Broken Arrow Public Schools Performing Arts Center and to examine concerns or complaints on an individual basis with the possibility of making adjustments if necessary

K. Approval of traffic calming policy implementation for Oak Avenue between Omaha Street and Narcissus Avenue

L. Approval of SP 234, Public Schools and School Related Facilities, 99.05 acres, I lot, A-1, Southwest corner of Albany Street and 23rd Street, Broken Arrow High School and Westwood Elementary.

M. Acceptance of a deed of dedication from Berkshire Development, LLC S17 T 18N R 14E) Project: Castlegate As-Built")

N. Approval of the Claims List

6. Consideration of Items Removed from Consent Agenda

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

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Motion: Move to approve Proclamation recognizing Dr. Ed Hucceby and proclaiming November 5 2009 as Dr. Ed Hucceby Day"

Motion b Phi li Tucker

Second b Richard Carter

Ayes: Philip Tucker, Richard Carter, Mike Lester

Nays: None

B. Approval of Proclamation declaring November 2009 as Pancreatic Cancer Awareness month

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Motion: Move to approve Proclamation declaring November 2009 as Pancreatic Cancer Awareness month

Motion b Richard Carter

Second b Philip Tucker

Ayes: Richard Carter, Philip Tucker, Mike Lester

Nays: None

# Broken Arrow City Council Agenda Page 2 of 7 October 20, 2009

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

**Section Minutes:** Ms. Patsy Terry, Downtown Merchants Association and proprietor of Arrow Flowers, addressed Council regarding the merchants concerns about construction on Main at Commercial and Dallas Streets. She asked Council to consider that the construction is scheduled at the very time of year that holiday shopping takes place, and the impact of the construction on business was a serious concern.

Mr. Robert and Mrs. Nancy Seawright requested to register their opposition to the time period of the scheduled construction on Main Street and stated they agreed Ms. Terry. Mr. James Farris addressed Council to express concern over loss of more parking spaces on Main Street.

Mr. Bob Forenell addressed Council regarding snow plowing and snow removal on Main Street. He asked that the City consider other options for removing snow because the current practice of plowing into piles along the curb blocks parking spaces. Mr. Forenell also addressed Council regarding Main Street beautification.

Ms. Jen Miller addressed Council regarding flooding in the Glen Eagles/Steeplechase Subdivisions. Ms. Miller stated that her home flooded again in the recent September rains and asked Council if the City would consider buying her home because she could not sell it due to flooding and she added that her family has spent a significant amount on repairs and restoration after multiple flooding events. Mayor Lester commented that the area developed prior to be annexed into the City of Broken Arrow and therefore did not have to meet Broken Arrow Code. The Mayor added that the area was annexed "as is" and said that the stormwater control project was near completion and that should resolve the flooding issues.

**9. General Council Business**

- A. Approval of Resolution Number 623, a Resolution prescribing the principal amount of bonds to be issued, Establishing the principal amount of bonds to mature each year, Establishing the time and place said bonds are to be sold, and authorizing the Clerk to give notice of said sale as required by law; Ratifying and confirming a Legal Services agreement and a Financial Advisor services agreement with respect to the issuance of such bonds and approving the Preliminary Official Statement pertaining thereto

**Item Minutes:** Director of Finance, Mr. Tom Caldwell reviewed that information presented in the Fact Sheet provided in the agenda packet.

<b>Motion:</b>	<b>Move to approve Resolution Number 623, a Resolution prescribing the principal amount of bonds to be issued, Establishing the principal amount of bonds to mature each year, Establishing the time and place said bonds are to be sold, and authorizing the Clerk to give notice of said sale as required by law; Ratifying and confirming a Legal Services agreement and a Financial Advisor services agreement with respect to the issuance of such bonds and approving the Preliminary Official Statement pertaining thereto</b>
<b>Motion by:</b>	Philip Tucker
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Philip Tucker, Richard Carter, Mike Lester
<b>Nays:</b>	None

- B. Approval of Resolution Number 624, a Resolution prescribing the principal amount of bonds to be issued, Establishing the principal amount of bonds to mature each year, Establishing the time and place said bonds are to be sold, and authorizing the Clerk to give notice of said sale as required by law; Ratifying and confirming a Legal Services

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

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## 9. General Council Business

A. Approval of Resolution Number 623, a Resolution prescribing the principal amount of bonds to be issued, Establishing the principal amount of bonds to mature each year, Establishing the time and place said bonds are to be sold, and authorizing the Clerk to give notice of said sale as required by law; Ratifying and confirming a Legal Services agreement and a Financial Advisor services agreement with respect to the issuance of such bonds and approving the Preliminary Official Statement pertaining thereto

Item Minutes: Director of Finance, Mr. Tom Caldwell reviewed that information presented in the Fact Sheet provided in the agenda packet.

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Motion: Move to approve Resolution Number 623, a Resolution prescribing the principal amount of bonds to be issued, Establishing the principal amount of bonds to mature each year, Establishing the time and place said bonds are to be sold, and authorizing the Clerk to give notice of said sale as required by law; Ratifying and confirming a Legal Services agreement and a Financial Advisor services agreement with respect to the issuance of such bonds and approving the Preliminary Official Statement pertaining thereto

Motion b Philip Tucker



Second b Richard Carter

Ayes: Philip Tucker, Richard Carter, Mike Lester

Nays: None

Approval of Resolution Number 624, a Resolution prescribing the principal amount of bonds to be issued, Establishing the principal amount of bonds to mature each year, Establishing the time and place said bonds are to be sold, and authorizing the Clerk to give notice of said sale as required by law; Ratifying and confirming a Legal Services Broken Arrow City Council Agenda Page 3 of 7 October 20, 2009

agreement and a Financial Advisor services agreement with respect to the issuance of such bonds and approving the Preliminary Official Statement pertaining thereto.

**Item Minutes:** Mr. Caldwell presented the information contained in the Fact Sheet provided in the agenda packet.

<b>Motion:</b>	<b>Move to approve Resolution Number 624, a Resolution prescribing the principal amount of bonds to be issued, Establishing the principal amount of bonds to mature each year, Establishing the time and place said bonds are to be sold, and authorizing the Clerk to give notice of said sale as required by law; Ratifying and confirming a Legal Services agreement and a Financial Advisor services agreement with respect to the issuance of such bonds and approving the Preliminary Official Statement pertaining thereto</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Philip Tucker
<b>Ayes:</b>	Richard Carter, Philip Tucker, Mike Lester
<b>Nays:</b>	None

C. Approval of a Contract for Sale of Real Estate between the City of Broken Arrow and Amy Carter and J. B. Carter for the purchase of land for a Community/Fitness Center

**Item Minutes:** City Attorney, Ms. Beth Anne Wilkening, presented this item in accordance with the details provided in the Fact Sheet and documents provided in the agenda packet. She said this Contract is the purchase of land to allow a Community /Fitness Center facility to be built upon the land in east Broken Arrow adjacent to a tract of land where a new public school is to be built, and the purchase of this land by the City is mutually contingent upon the Broken Arrow Public Schools purchasing the adjacent tract of land. She added that bond funds will be used for this purchase. Councilor Carter stated that Amy Carter and JB. Carter were not related to him or connected in any way.

<b>Motion:</b>	<b>Move to approve Contract for Sale of Real Estate between the City of Broken Arrow and Amy Carter and J. B. Carter for the purchase of land for a Community/Fitness Center</b>
<b>Motion by:</b>	Philip Tucker
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Philip Tucker, Richard Carter, Mike Lester
<b>Nays:</b>	None

D. Approval of appointment of Youth City Council members for school year 2009 - 2010

**Item Minutes:** Mayor Lester said that the juniors that served as interns on the Youth City Council last year would now be appointed as the Youth City Councilors for school year 2009-2010. He added that only two applications for internships were received this year and as a result, there were only two intern positions for this school year. Mayor Lester said the members and interns for the Youth City Council for school year 2009 - 2010 were as follows:

Wards Represented	Existing Appointee	Intern
Ward 1 Richard Carter	Chenese Rosebrock	
Ward 2 Craig Thurmond	Allie Mitchell	
Ward 3 Mike Lester	Cody Merrill	Eric Stukey
Ward 4 Philip Tucker	Justin Langston	
At-Large Wade McCaleb	Alejandro Tavizon	Thomas Hilbert

agreement and a Financial Advisor services agreement with respect to the issuance of such bonds and approving the Preliminary Official Statement pertaining thereto.

Item Minutes: Mr. Caldwell presented the information contained in the Fact Sheet provided in the agenda packet.

Motion: Move to approve Resolution Number 624, a Resolution prescribing the principal amount of bonds to be issued, Establishing the principal amount of bonds to mature each year, Establishing the time and place said bonds are to be sold, and authorizing the Clerk to give notice of said sale as required by law; Ratifying and confirming a Legal Services agreement and a Financial Advisor services agreement with respect to the issuance of such bonds and approving the Preliminary Official Statement pertaining thereto

Motion b Richard Carter

Second b Philip Tucker

Ayes: Richard Carter, Philip Tucker, Mike Lester

Nays: None

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Motion: Move to approve Contract for Sale of Real Estate between the City of Broken Arrow and Amy Carter and J. B. Carter for the purchase of land for a Community/Fitness Center

Motion b Philip Tucker

Second b Richard Carter

Ayes: Philip Tucker, Richard Carter, Mike Lester

Nays: None

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Mayor Lester said the members and interns for the Youth City Council for school year 2009 2010 were as follows:

Wards Represented Existing Appointee Intern

Ward 1 Richard Carter Chenese Rosebrock

Ward 2 Craig Thurmond Allie Mitchell

Ward 3 Mike Lester Cody Merrill Eric Stukey

Ward 4 Philip Tucker Justin Langston

At-Large Wade McCaleb Alejandro Tavizon Thomas Hilbert

Broken Arrow City Council Agenda Page 4 of 7 October 20, 2009

Mayor Lester said that Thomas Hilbert was actually an applicant from Ward 3 but would be assigned to the At-Large slot as suggested by Councilor McCaleb who could not be present this evening.

<b>Motion:</b>	<b>Move to approve appointment of Youth City Council members for school year 2009 – 2010</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Philip Tucker
<b>Ayes:</b>	Richard Carter, Philip Tucker, Mike Lester
<b>Nays:</b>	None

**10. City Manager’s Report**

A. None

**11. Preview Ordinances**

A. An Ordinance amending the Employee Retirement System, defined contribution plan for the City of Broken Arrow, Oklahoma by adopting a revised and restated retirement plan; providing retirement benefits for eligible employees of the City of Broken Arrow, Oklahoma; providing for purpose and organization; providing for definitions; providing for eligibility and participation; providing for non-alienation of benefits; loss of benefits for cause and limitations of benefits; providing for employer and employee contributions; providing for accounting, allocation, and valuation; providing benefits; providing for required notice; providing for amendments and termination; providing for transfer to and from other plans; creating a retirement committee and providing for powers, duties and rights of retirement committee; providing for duration and payment of expenses; providing for effective date; providing for vesting schedule; providing for a fund to finance the system to be pooled with other incorporated cities, towns and their agencies and instrumentalities for purposes of administration, management, and investments part of the Oklahoma Municipal retirement fund; providing for payment of all contributions under the system to the Oklahoma Municipal Retirement Fund for management and investment; providing for repealer and severability; adopting those amendments mandated by the internal revenue code; and declaring an emergency

**Item Minutes:** Ms. Wilkening presented this item in accordance with the Fact Sheet and documents provided in the agenda packet. She summarized stating that from time to time, the City's Master Plan Document is amended by the Oklahoma Municipal Retirement Fund to ensure that it is up to date with legislative and IRS changes, and the IRS regulations require that once the plan is approved by them, plan members must formally adopt the new plan. Ms. Wilkening said these changes have no impact on plan benefits or contributions.

<b>Motion:</b>	<b>Move to set the Preview Ordinance on the next Council agenda for adoption</b>
<b>Motion by:</b>	Philip Tucker
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Philip Tucker, Richard Carter, Mike Lester
<b>Nays:</b>	None

**12. Ordinances**

A. Adoption of Ordinance 3058, an ordinance amending Chapter 5, Article I, Section 5-22 of the Broken Arrow Code pertaining to Keeping of animals other than dogs and cats; repealing all ordinances to the contrary; and declaring an emergency.

Mayor Lester said that Thomas Hilbert was actually an applicant from Ward 3 but would be assigned to the At-Large slot as suggested by Councilor McCaleb who could not be present this evening.

Motion: Move to approve appointment of Youth City Council members for school year 2009 2010

Motion b Richard Carter

Second b Philip Tucker

Ayes: Richard Carter, Philip Tucker, Mike Lester

Nays: None

#### 10. City Manager's Report

A. None

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Motion: Move to set the Preview Ordinance on the next Council agenda for adoption

Motion b Philip Tucker

Second b Richard Carter

Ayes: Philip Tucker, Richard Carter, Mike Lester

Nays: None

## 12. Ordinances

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Broken Arrow City Council Agenda Page 5 of 7 October 20, 2009

**Item Minutes:** Ms. Wilkening presented the Ordinances for adoption in accordance with the details in the Fact Sheets provided in the agenda packet. She noted that this Ordinance has no emergency clause even though the agenda shows one.

Mr. Greg Copeland addressed Council regarding miniature livestock, specifically miniature horses. He distributed photos and information regarding the history of miniature horses as pets and of their use as guide animals for the blind in some cities and as an alternative pet for people allergic to dogs and cats as was his son.

He asked that the Council review the ordinance as it relates to a general ban of miniature and dwarf horses, and asked the Council to consider the role of these small horses in society today as pets adding that the miniature horses are smaller than some large dog breeds. Ms. Wilkening said that the legal process regarding Mr. Copeland's miniature horse had taken place and the City respects the jury's decision allowing Mr. Copeland and his family to keep the horse. She said that Mr. Copeland's horse would be grandfathered in and said that the issue of miniature horses came up when many complaints were received about Mr. Copeland's horse from his neighborhood and the ordinance did not come about as an arbitrary act by the City. Mr. Copeland responded that the complaints were discussed in the court case, and that many complaints from one person was different from many complaints from many people, and that most of his neighbors did not mind the presence of his family's miniature horse. Councilman Tucker said he would request that this item be tabled in order to allow Council to review the matter and also to wait for Councilors Thurmond and McCaleb to be present to consider the item. Mayor Lester and Councilor Carter agreed.

<b>Motion:</b>	<b>Move to table Ordinance 3058, an ordinance amending Chapter 5, Article I, Section 5-22 of the Broken Arrow Code pertaining to Keeping of animals other than dogs and cats; repealing all ordinances to the contrary; and declaring an emergency</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Philip Tucker
<b>Ayes:</b>	Richard Carter, Philip Tucker, Mike Lester
<b>Nays:</b>	None

B. Adoption of Ordinance No. 3060, an ordinance amending Chapter 23, Article I, Section 23-24.1 of the Broken Arrow Code pertaining to Leaving the scene of an accident; repealing all ordinances to the contrary; and declaring an emergency.

**Item Minutes:** Ms. Wilkening presented the Ordinances for adoption in accordance with the details in the Fact Sheets provided in the agenda packet.

<b>Motion:</b>	<b>Move to adopt Ordinance No. 3060, an ordinance amending Chapter 23, Article I, Section 23-24.1 of the Broken Arrow Code pertaining to Leaving the scene of an accident; repealing all ordinances to the contrary; and declaring an emergency</b>
<b>Motion by:</b>	Philip Tucker
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Philip Tucker, Richard Carter, Mike Lester
<b>Nays:</b>	None

C. Adoption of Ordinance No. 3062, an ordinance closing a utility easement in Lot 1, Block 1 of Williams Brother Constructors Park Amended, an addition to the City of Broken Arrow, Tulsa County, Oklahoma, a resubdivision of Lot 1, Block 1 William Brothers Constructors Park and a Subdivision of Part of Government Lot 2 and Part of the N/2 of the NE/4 all in Section 4, Township 18 North, Range 14 East



Item Minutes: Ms. Wilkening presented the Ordinances for adoption in accordance with the details in the Fact Sheets provided in the agenda packet. She noted that this Ordinance has no emergency clause even though the agenda shows one.

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He asked that the Council review the ordinance as it relates to a general ban of miniature and dwarf horses, and asked the Council to consider the role of these small horses in society today as pets adding that the miniature horses are smaller than some large dog breeds. Ms. Wilkening said that the legal process regarding Mr. Copeland's miniature horse had taken place and the City respects the jury's decision allowing Mr. Copeland and his family to keep the horse. She said that Mr. Copeland's horse would be grandfathered in and said that the issue of miniature horses came up when many complaints were received about Mr. Copeland's horse from his neighborhood and the ordinance did not come about as an arbitrary act by the City. Mr. Copeland responded that the complaints were discussed in the court case, and that many complaints from one person was different from many complaints from many people, and that most of his neighbors did not mind the presence of his family's miniature horse. Councilman Tucker said he would request that this item be tabled in order to allow Council to review the matter and also to wait for Councilors Thurmond and McCaleb to be present to consider the item. Mayor Lester and Councilor Carter agreed.

Motion: Move to table Ordinance 3058, an ordinance amending Chapter 5, Article I, Section 5-22 of the Broken Arrow Code pertaining to Keeping of animals other than dogs and cats; repealing all ordinances to the contrary; and declaring an emergency

Motion b Richard Carter

Second b Philip Tucker

Ayes: Richard Carter, Philip Tucker, Mike Lester

Nays: None

B. Adoption of Ordinance No. 3060, an ordinance amending Chapter 23, Article I, Section 23-24.1 of the Broken Arrow Code pertaining to Leaving the scene of an accident; repealing all ordinances to the contrary; and declaring an emergency.

Item Minutes: Ms. Wilkening presented the Ordinances for adoption in accordance with the details in the Fact Sheets provided in the agenda packet.

Motion: Move to adopt Ordinance No. 3060, an ordinance amending Chapter 23, Article I, Section 23-24.1 of the Broken Arrow Code pertaining to Leaving the scene of an accident; repealing all ordinances to the contrary; and declaring an emergency

Motion b Philip Tucker

Second b Richard Carter

Ayes: Philip Tucker, Richard Carter, Mike Lester

Nays: None

C. Adoption of Ordinance No. 3062, an ordinance closing a utility easement in Lot 1, Block 1 of Williams Brother Constructors Park Amended, an addition to the City of Broken Arrow, Tulsa County, Oklahoma, a resubdivision of Lot 1, Block 1 William Brothers Constructors Park and a Subdivision of Part of Government Lot 2 and Part of the N/2 of the NE/4 all in Section 4, Township 18 North, Range 14 East

Broken Arrow City Council Agenda Page 6 of 7 October 20, 2009

**Item Minutes:** Ms. Wilkening presented the Ordinances for adoption in accordance with the details in the Fact Sheets provided in the agenda packet.

<b>Motion:</b>	<b>Move to adopt Ordinance No. 3062, an ordinance closing a utility easement in Lot 1, Block 1 of Williams Brother Constructors Park Amended, an addition to the City of Broken Arrow, Tulsa County, Oklahoma, a resubdivision of Lot 1, Block 1 William Brothers Constructors Park and a Subdivision of Part of Government Lot 2 and Part of the N/2 of the NE/4 all in Section 4, Township 18 North, Range 14 East</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Philip Tucker
<b>Ayes:</b>	Richard Carter, Philip Tucker, Mike Lester
<b>Nays:</b>	None

D. Adoption of Ordinance No. 3061, an ordinance partially closing a utility easement, in Lot 9, Block 4 of Southern Trails Estates

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

There were none.

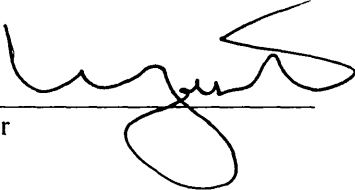
**14. Executive Session**

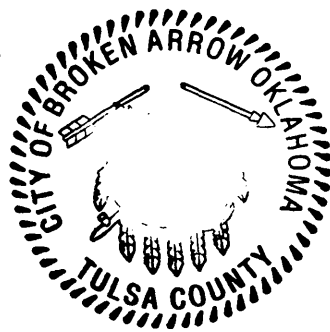
None


**15. Adjournment**

**Section Minutes:** The meeting adjourned at 7:18 p.m.

<b>Motion:</b>	<b>Move to adjourn</b>
<b>Motion by:</b>	Philip Tucker
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Philip Tucker, Richard Carter
<b>Nays:</b>	None

  
\_\_\_\_\_  
Mayor



Attest:  
  
\_\_\_\_\_  
City Clerk

Item Minutes: Ms. Wilkening presented the Ordinances for adoption in accordance with the details in the Fact Sheets provided in the agenda packet.

Motion: Move to adopt Ordinance No. 3062, an ordinance closing a utility easement in Lot 1, Block 1 of Williams Brother Constructors Park Amended, an addition to the City of Broken Arrow, Tulsa County, Oklahoma, a resubdivision of Lot 1, Block 1 William Brothers Constructors Park and a Subdivision of Part of Government Lot 2 and Part of the N/2 of the NE/4 all in Section 4, Township 18 North, Range 14 East

Motion b Richard Carter

Second b Philip Tucker

Ayes: Richard Carter, Philip Tucker, Mike Lester

Nays: None

D. Adoption of Ordinance No. 3061, an ordinance partially closing a utility easement, in Lot 9, Block 4 of Southern Trails Estates

13. Remarks and Inquiries by Governing Body Members

There were none.

14. Executive Session

None

15. Adjournment

Section Minutes: The meeting adjourned at 7:18 p.m.

Motion: Move to adjourn

Motion b Philip Tucker

Second b Richard Carter

Ayes: Philip Tucker, Richard Carter

Nays: None

Attest:

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Broken Arrow City Council Agenda Page 7 of 7 October 20, 2009

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