



City of Broken Arrow

Minutes City Council

City Hall
220 S 1st Street
Broken Arrow OK
74012

Mayor Craig Thurmond
Vice Mayor Scott Eudey
Council Member Mike Lester
Council Member Johnnie Parks
Council Member Debra Wimpee

Tuesday, March 19, 2019	Time 6:30 p.m.	Council Chambers
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1. Call to Order

Mayor Craig Thurmond called the meeting to order at approximately 6:30 p.m.

2. Invocation

Invocation was performed by Pastor Andrew Conley.

3. Roll Call

Present: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

4. Pledge of Allegiance to the Flag

Council Member Johnnie Parks led the Pledge of Allegiance to the Flag.

5. Consideration of Consent Agenda

Mayor Thurmond asked if there were any items to be removed from the Consent Agenda. There were none.

MOTION: A motion was made by Mike Lester, seconded by Scott Eudey.

Move to approve the Consent Agenda

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

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| A. | 19-6 | Approval of the City Council Meeting Minutes of March 5, 2019 |
| B. | 19-335 | Accept Planning Commission meeting minutes of February 14, 2019 |
| C. | 19-361 | Ratification of Workers' Compensation Settlement for Kevin Smith, former Fire Department employee |
| D. | 19-338 | Approval of and authorization to execute a Proclamation declaring the week of March 25, 2019 Arbor Week |
| E. | 19-363 | Approval of and authorization to execute a Certificate of Recognition declaring June through August 2019 as "Play Ball Summer" throughout the City of Broken Arrow |
| F. | 19-304 | Approval of and authorization to execute an Interlocal Agreement between Broken Arrow Public Schools (Independent School District No. 3) and the City of Broken Arrow to provide funding for school crossing guards |
| G. | 19-305 | Approval of and authorization to execute an Interlocal Agreement between the Union School District (Independent School District No. 9) and the City of Broken Arrow to provide funding for school crossing guards |
| H. | 19-303 | Approval of and authorization to execute an Interlocal School Resource Officer Agreement between the Union School District and the City of Broken Arrow |
| I. | 19-329 | Approval of and authorization to purchase one (1) Ford Fusion from Bill Knight Ford, pursuant to the Oklahoma Statewide Contract, for the City Hall staff pool car |
| J. | 19-354 | Award the most advantageous bid to Construction Sales and Service Inc. for the purchase of one (1) four-wheel-drive tractor for the Battle Creek Golf course |
| K. | 19-341 | Approval of and authorization to execute Change Order CO1 for Construction Contract ST1210; 9th Street Widening, Elgin to El Paso |
| L. | 19-342 | Approval of and authorization to execute Change Order CO1 for Construction Contract 171703; Tiger Hill Soldier Pile Retaining Wall |
| M. | 19-334 | Approval of PUD-280A (Planned Unit Development) and BAZ-2023 (Rezoning), The Villages at Seven Oaks South, 0.43 acres, A-1 to RS-3 (BAZ-1622) to RS-3 to RS-4/PUD-280A, located one-quarter mile east of 9th Street, south of New Orleans Street |
| N. | 18-1423 | Approval of the Broken Arrow City Council Claims List for March 19, 2019 |

6. Consideration of Items Removed from Consent Agenda

There were no Items removed from the Consent Agenda. No action was required or taken.

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

A. 19-337 **Presentation of a Certificate of Recognition to Zeeco, Inc. for reaching the milestone of 40 years of business in Broken Arrow**

City Manager Michael Spurgeon introduced Marlin Goodwyn, representing Zeeco. He stated there was a presentation of recognition to Zeeco for reaching the milestone of 40 years in business in Broken Arrow. He gave a brief history of Zeeco Company, a global leader in the design, engineering, and manufacturing of combustion equipment, headquartered in Broken Arrow, with more than 20 locations and over 1,000 employees. He reported Zeeco was pleased to maintain headquarters in Broken Arrow. He invited the City Council to attend Zeeco's 40th Anniversary Event and again present the Certificate of Appreciation.

Mayor Thurmond and City Manager Spurgeon presented a Certificate of Appreciation to Mr. Marlin Goodwyn representing Zeeco.

B. 19-353 **Presentation regarding update on the City Street Maintenance Program funded through Street Sales Tax**

City Manager Spurgeon gave a brief history of the Street Sales Tax City Street Maintenance Program and indicated Mr. Rocky Henkel would periodically make presentations regarding the progress of the improvements.

Director of Streets and Stormwater, Rocky Henkel, reported in December, 2018, the City Wide Striping contract, which included lane markings and stripe refreshing of approximately 16 miles of roadway, was completed. He reported the Indian Springs Asphalt Rehabilitation Mill and Overlay, the New Tulsa Estates Asphalt Rehabilitation Mill and Overlay, and the Foster Lewis Asphalt Rehabilitation Mill and Overlay projects were completed in December, 2018. He reviewed the PCI index and explained projects were chosen according to low PCI index scores. He displayed pictures of the finished projects. He noted the Wolf Creek project, which included asphalt rehabilitation mill and overlay, concrete panel replacement, sidewalk and ADA (Americans with Disabilities Act) ramp construction, was approximately 50% complete and would be completed June 1, 2019. He noted the Central Park Estates project, a concrete panel replacement project, was approximately 45% complete. He stated Arrow Acres, an Asphalt Rehabilitation Mill and Overlay project was approximately 33% complete and he believed the project would be completed by the end of March 2019. He indicated Angus Acres, an Asphalt Rehabilitation Mill and Overlay project was approximately 25% complete, the Kenwood Hills Asphalt Rehabilitation Mill and Overlay project was approximately 33% complete, the 6100 Center Concrete Panel Replacement project was approximately 10% complete and the Crack Sealing Preventative Maintenance project was approximately 80% Complete. He displayed pictures of some completed project work. He noted the remaining work to be completed included Arrow Springs Asphalt Rehabilitation, Hidden Springs Asphalt Rehabilitation, Wedgewood 2nd Addition Concrete Panel Replacement project, Concrete Package #1 Concrete Panel Replacement project in Vandever 6th, Aspen Pond, Forest Ridge, Millicent Pond, South Brook and Stacey Lynn VII, and the Annual Sidewalk Maintenance project. He reported the following projects were complete: Arrow Park Asphalt Rehabilitation, Old Town Asphalt Rehabilitation, and Florence St. Bridge Repairs. He indicated the total budgeted amount for the completed work was \$915,300 dollars, the total budgeted amount for work in progress was \$2,702,100 dollars, the total budgeted amount for remaining work was \$2,298,000 dollars and the total budgeted amount for additional work completed was \$224,730 dollars total.

Council Member Mike Lester asked about the Ash project. Mr. Alex Mills, Director of Engineering responded the City was ready for asphalt as the concrete work had been completed and the prep work behind the curbs was complete. He stated he hoped by the end of the week the asphalt crews would be working, and finished by the beginning of next week.

City Manager Spurgeon asked Mr. Henkel to meet with him regarding possibly widening the road which led to the Wastewater Treatment Plant. Mr. Henkel agreed. City Manager Spurgeon asked about the restriping of the Rose District. Mr. Henkel indicated this project would begin in the next two to three weeks and work would be done at night.

C. 19-339 **Presentation of the City of Broken Arrow Project Website**

Engineering and Construction Director Alex Mills reviewed the Broken Arrow Project Website. He noted the website was a group effort by several Departments. He indicated it was an excellent tool enabling interested parties to obtain updated information regarding Broken Arrow Construction Projects. He noted the website was not complete, but would be ready for publication soon. He reviewed the various website tabs and indicated the projects in blue were Tulsa County Projects, projects in green were prior GO Bond projects, and projects in yellow were the 2018 GO Bond projects. He illustrated how the information was displayed and the various ways to access information via the website. The website tabs included Residential, Public Safety, Residential Street Rehabilitation, Quality of Life, Public Facilities, Stormwater and Drainage, Water Utility CIP (Capital Improvement Program), and Sanitary Sewer System. He noted the website should be up and running in the next few weeks.

Council Member Debra Wimpee stated this was an excellent website and believed the Citizens of Broken Arrow would especially appreciate the Quality of Life project information. Council Member Johnnie Parks asked how the website would be updated. Mr. Mills responded his Department would update the website at regular intervals. Vice Mayor Eudey stated he was often asked about the status of projects and he was pleased to have this website as a reference for both himself and others. Discussion ensued regarding the benefits of this website, residents being able to discover where parks were located throughout the City, the possibility of residents being upset when a date changed, and the possibility of including a “project updated on” date.

D. 19-351 Consideration, discussion, possible approval of, and authorization to execute a Proclamation declaring support for and encouraging participation in the 2019 Wyland National Mayor’s Challenge for Water Conservation

Utilities Director, Charles Vokes, introduced Pretreatment Coordinator Lauren Wilson. Ms. Lauren Wilson presented a Proclamation which declared support for and encouraged participation in the 2019 Wyland National Mayor’s Challenge for Water Conservation. She explained the Challenge was a friendly contest led by Mayors from across the U.S. which encouraged residents to practice water-wise habits. She stated residents in participating cities were asked to take an online pledge to make small changes which would have large impacts on water resources. She noted the city with the most residents who took the pledge would win bragging rights and a 2019 Toyota Highlander Hybrid to be awarded to a local city charity. She explained residents could win prizes such as \$3,000 towards utility bills, gift cards, and irrigation supplies. She noted Jeff Bigby of Broken Arrow won \$100 dollars last year during the contest. She indicated Broken Arrow ranked 18th last year, but she hoped Broken Arrow would make the top ten this year. She reported residents could make the pledge between April 1, 2019 and April 30, 2019 at BrokenArrowOK.gov/waterpledge. She explained the goal of the contest was to encourage good home irrigation practices. She noted irrigation doubled water usage during the summer months, irrigation runoff flowed directly into creeks and streams without treatment and could often contain pesticides, oil, and other contaminants, running a sprinkler during rain and/or freeze events wasted water, money, and could cause dangerous road conditions, and a small irrigation system leak could waste big money. She explained residents could participate by installing rain and freeze sensors on irrigation systems, testing sprinkler output, inspecting sprinkler systems yearly, leak repair, utilizing drip irrigation instead of sprinklers, installing low-flow faucets, shower heads, and toilets, washing only full loads of laundry and dishes, and not letting the faucet run while washing dishes, brushing teeth, shaving, etc. She indicated City Staff would publicize the Challenge for residents through a booth at the Rose District Farmers Market on Saturdays in April, distribution of water conservation activity books to Broken Arrow Elementary Schools, a press release and a video of Mayor Thurmond accepting the Challenge. She indicated Staff would also promote the Challenge throughout the month of April on the Conserve BA Facebook page and other social media outlets.

Mayor Thurmond stated he felt 18th Place was excellent for Broken Arrow’s first year of participation, but he hoped Broken Arrow would reach the top ten this year.

MOTION: A motion was made by Scott Eudey, seconded by Mike Lester.

Move to approve the Proclamation declaring support for and encouraging participation in the 2019 Wyland National Mayor’s Challenge for Water Conservation

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

8. Citizens’ Opportunity to Address the Council on General Topics Related to City Business or Services (No action may be taken on matters under this item)

Citizen David Herrold with Conner and Winter Attorneys stated his address was 4000 One Williams Center, Tulsa, OK. He stated he had sent several letters to City Council regarding PUD-266, Centennial Crossing. He encouraged City Council to send this proposal back and issue proper notice prior to holding a Public Hearing regarding this PUD. He stated he hoped litigation could be avoided. He indicated his clients wished to caution PUD-266’s applicant, and representatives, against verbally accosting protesting citizens.

9. General Council Business

A. 19-367 Consideration, discussion, and possible approval of and authorization for concrete pours for the Milestone project located at 305 North Main Street, Broken Arrow, Oklahoma pursuant to Broken Arrow Code of Ordinances, Chapter 16, Section 16-12

Development Services Director Michael Skates reported Calvin Construction requested a slab pour for the Milestone Project beginning at 3:00 a.m. Friday, March 22, 2019. He explained this would be the first of several pours. He noted set-up would begin at 2:00 a.m. and crews would be finished prior to 8:00 a.m. He stated Staff requested approval for this request and authorization to approve future requests with proper notification to the City Manager, Police, Fire and City Council.

Vice Mayor Eudey asked about the possibility of noise pollution. Mr. Skates responded the nearest home was approximately 1.5 blocks away and he believed the noise level would not disturb the neighbors; however, he was aware of the possibility of noise pollution and would be monitoring

the noise situation throughout the process.

Council Member Wimpee asked about the timeframe of the project. Mr. Skates responded this concrete pour was scheduled for Friday, March 22, 2019, but could be delayed due to changes and weather, and at least four pours were required. Council Member Parks stated he was also concerned about the noise level, and he believed this project could be completed during daylight if the noise caused a disturbance. Mr. Skates concurred.

MOTION: A motion was made by Johnnie Parks, seconded by Debra Wimpee.

Move to approve and authorize early morning concrete pours for the Milestone project located at 305 North Main Street, Broken Arrow, Oklahoma pursuant to Broken Arrow Code of Ordinances, Chapter 16, Section 16-12

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

B. 19-349 Consideration, discussion, and possible approval of and authorization to execute an agreement between the City of Broken Arrow and Adroit Event Solutions, LLC to host the 2019 Patriots in the Park event, providing a sponsorship and event license

Community Events Manager, Vaunda Olivera, reported Adroit Event Solutions proposed a partnership with the City of Broken Arrow to host a 4th of July Event from 10:00 a.m. until 11:00 p.m. at the Broken Arrow Events Park on Thursday, July 4, 2019. She explained this would be a first annual event called Patriots in the Park and would feature various activities, water park activities, live performances by local talent, a Bar-B-Que competition between Broken Arrow Fire Department and Broken Arrow Police Department, several local wineries and breweries, Burn Tulsa Fire Team, and a large fireworks display. She noted a first class experience would be offered. Vice Mayor Eudey stated he was pleased to see Adroit Event Solutions stepping up to fill what would have been a void in Broken Arrow this 4th of July.

Mr. Steve Adroit with Adroit Event Solutions indicated the plan was to organize a down-home American, highly patriotic event which would draw the City of Broken Arrow together as a community. Vice Mayor Eudey thanked Mr. Adroit for organizing this event. He stated Broken Arrow was known for hosting wonderful 4th of July celebrations and he believed Mr. Adroit's plan for the holiday would further promote this reputation.

Council Member Parks asked about public safety. Mr. Adroit indicated approximately 50,000 to 60,000 residents were expected to attend and he was in communication with Police and Fire in this regard.

Council Member Wimpee noted in the past the 4th of July Festival was held the Sunday prior to the 4th of July. She asked if Mr. Adroit anticipated a lower attendance rate with the Festival being held on 4th of July which was a Thursday. Mr. Adroit responded in the negative; however, it was difficult to know for certain.

MOTION: A motion was made by Scott Eudey, seconded by Debra Wimpee.

Move to approve and authorize execution of an agreement between the City of Broken Arrow and Adroit Event Solutions, LLC to host the 2019 Patriots in the Park event, providing a sponsorship and event license

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

C. 19-350 Consideration, discussion, and possible approval to appoint one council member to the Broken Arrow Public Schools' Redefining Ready Planning Committee

City Manager Spurgeon reported he received a letter from Dr. Jan Dunlop, Superintendent of Broken Arrow Schools requesting Mr. Spurgeon and one member of City Council to participate in Broken Arrow Public Schools' Redefining Ready Planning Committee. He stated Redefining Ready was a National Initiative launched by the School Superintendents' Association introducing new research based metrics to more appropriately assess which students were college ready, career ready and life ready. He explained the Redefining Ready Planning Committee would determine what the City of Broken Arrow desired in a high school graduate; Meetings would be held on April 9, May 2, May 21, and May 30, 2019. He asked if a member of City Council was willing to serve on the Redefining Ready Planning Committee.

Mayor Thurmond stated Council Member Lester had served on the School Board in the past and asked Council Member Lester if he wished to participate. Council Member Lester responded in the affirmative. Council Member Wimpee asked if an alternate should be selected. City Manager Spurgeon responded in the affirmative. Council Member Wimpee volunteered to be the alternate.

MOTION: A motion was made by Scott Eudey, seconded by Johnnie Parks.

Move to appoint Mike Lester as the Member to the Redefining Ready Planning Committee and Debra Wimpee as the alternate if necessary

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

- D. 19-360 **Consideration, discussion and possible approval of Resolution No. 1199, a Resolution of the City of Broken Arrow, Oklahoma (the “City”) approving the incurrence of indebtedness by the Broken Arrow Economic Development Authority (the “Authority”) issuing its Tax Increment Revenue Note, Taxable Series 2019 (the “note”); providing that the organizational document creating the Authority is subject to the provisions of the indenture authorizing the issuance of said note; waiving competitive bidding with respect to the sale of said note and approving the proceedings of the Authority pertaining to the sale of said note; approving and authorizing execution of a security agreement by and between the City and the Authority pertaining to the pledge of certain sales tax increment revenues and ad valorem tax increment revenues; and containing other provisions relating thereto**
Mayor Thurmond called for a motion to table this item until after the Broken Arrow Economic Development Authority meeting.

MOTION: A motion was made by Mike Lester, seconded by Johnnie Parks.

Move to table Item 9D

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

Following the BAEDA Meeting, Director of Finance Cindy Arnold stated the City must approve any debt incurred by the Broken Arrow Economic Development Authority and Resolution No. 1199 approved the action taken by BAEDA under Resolution No. 1198.

MOTION: A motion was made by Mike Lester, seconded by Johnnie Parks.

Move to approve Resolution No. 1199 and authorize its execution

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

10. Preview Ordinances

There were no Preview Ordinances.

11. Ordinances

- A. 19-358 **Consideration, discussion and possible adoption of Ordinance No. 3092-CORRECTED, an Ordinance partially closing a utility easement located on Lot 3, Block 1, Stonebridge Park an addition to the City of Broken Arrow, Tulsa County, Oklahoma, according to the recorded plat thereof; providing for reservation of rights within the closed easement; specifically correcting the legal description; repealing all ordinances to the contrary; and declaring an emergency**

City Attorney Trevor Dennis reported in 2010 the City vacated a partial easement in the Stonebridge Park subdivision. He noted recently the property owner vacated the easement and it was discovered there was a scrivener’s error in the legal description. He indicated Ordinance No. 3092-CORRECTED corrected the scrivener’s error; staff recommended City Council adopt Ordinance No. 3092-CORRECTED and authorize its execution.

MOTION: A motion was made by Mike Lester, seconded by Johnnie Parks.

Move to adopt Ordinance No. 3092-CORRECTED and authorize its execution

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

MOTION: A motion was made by Scott Eudey, seconded by Debra Wimpee.

Move for the emergency clause

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

12. Remarks and Inquiries by Governing Body Members

Council Member Lester noted the dedication for the Reflection Park would be held March 27, 2019 at 2:00 p.m. He invited all to attend.

Council Member Parks stated City Council attended the National League of Cities last week along with five Youth City Council Members (High School Seniors). He stated he believed the event was highly successful and an excellent experience for the Youth City Council Members. He commended Ms. Jennifer Hooks for her leadership and for organizing the event for the Youth City Council Members. He commended the Seniors for participating and acting respectfully. Vice Mayor Eudey concurred.

Mayor Thurmond stated the City Council Meeting on April 2, 2019 would be held at 5:30 p.m. due to the April 2, 2019 election. He encouraged residents to vote.

13. Remarks and Updates by City Manager, including Recognition of Recent Accomplishments by Employees and Elected Officials

City Manager Spurgeon reported Ms. Krista Flasch distributed the Annual Report for 2018 which he felt was an outstanding document. He thanked Ms. Flasch for her efforts in this regard, as well as those who assisted in the creation of the document.

He reported City Attorney Trevor Dennis was highlighted in the Spotlight Newsletter. He

noted there was an article in the Southwest Waterworks Journal called the “Together Project” written by Kenny Schwab which talked about the partnership with Broken Arrow Public Schools regarding the Flood Plain Stormwater Management Project.

He stated several years ago toll booths and gates were considered for the Muskogee Turnpike near the Armory. He stated Senator John Haste and Senator Kim David were collaborating in an effort to rekindle this initiative. He noted a meeting would be held in late June in this regard. He stated FEMA (Federal Emergency Management Agency) would be using the Armory to station equipment, supplies and food which might enable federal project funding.

He noted last Thursday the first meeting for the Business Retention Engagement and Expansion Program was held and approximately thirty businesses were represented. He briefly reviewed the meeting’s subject matter such as special event notification and parking and traffic enforcement. He thanked Lori Hill, Brian Barger and Norm Stephens for coordinating the meeting.

He thanked City Council for recognizing Zeeco. He commended Mr. Rocky Henkel and Mr. Alex Mills for the presentations made during the City Council Meeting.

He stated Broken Arrow would be receiving \$400,000 dollars in federal funds for utility work in connection with the road widening and bridge replacement from 71st Street to 81st Street on County Line Road. He stated Broken Arrow would be receiving \$440,000 dollars in matched federal funds for the extension of the Liberty Park Trail between Elm Place and Ithaca. He stated Broken Arrow received \$3 million dollars via federal grant to help widen Olive Avenue from 61st Street to 71st Street.

He reported the application window for the Build Grant Program would open in late April 2019 and would be due in July 2019 with award notice in December 2019. He stated Broken Arrow would apply for the additional funding needed for the road widening and bridge replacement on County Line Road, approximately \$5 million dollars. He stated a cost benefit analysis would be considered for inclusion in the grant application which he believed would help award grant approval.

He commended Mr. Jed Beloncik for receiving his A Water Operation Certification. He stated Risk Manager Tou Xiong received a letter of thanks from Dr. Roy Wood of NSU for assisting the University with Risk Management.

He announced the week of March 25, 2019 was Arbor Week and an Arbor Day Celebration would be held March 28, 2019. He invited City Council to attend.

At approximately 7:33 p.m. Mayor Thurmond stated he would entertain a motion for a brief recess to enter into Broken Arrow Municipal Authority and Broken Arrow Economic Development Authority.

MOTION: A motion was made by Mike Lester, seconded by Scott Eudey.

Move for a brief recess to meet for BAMA and BAEDA

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

At approximately 7:55 p.m. Mayor Thurmond reconvened the regular session of the City Council Meeting to revisit Item 9D which had been tabled (see above).

He stated there was an Executive Session and he would entertain a motion for a brief recess to clear the room for the Executive Session.

MOTION: A motion was made by Scott Eudey, seconded by Debra Wimpee.

Move for a brief recess to clear the room for the Executive Session

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

MOTION: A motion was made by Scott Eudey, seconded by Debra Wimpee.

Move to enter into the Executive Session

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

14. Executive Session

Executive Session for the purpose of confidential communications between the City Council, the City Manager, the City Attorney and any other pertinent staff members discussing and conferring on matters pertaining to:

1. A claim, potential litigation or action related to Council approval of the Broken Arrow Zoning Ordinance (BAZ) No. 1986 and Planned Unit Development (PUD) No. 266 and the alleged violations of the Open Meeting Act; under 25 O.S. §307(B)(4); and

2. Economic development and specifically discussing an economic development proposal involving real property located west of the Creek Turnpike, north and south of Highway 51, to include the financing, and the creation of a proposal to entice a business to locate within the City of Broken Arrow, taking appropriate action in open session, including direction for the City Manager and staff to enter into formal negotiations for an economic development proposal under 25 O.S. §307(C)(10); and

In the opinion of the City Attorney, the Council is advised that the Executive Session is necessary to protect the confidentiality of businesses and to process the pending claim, litigation and possible litigation and that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation or proceeding in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

The meeting reconvened at approximately 8:43 p.m.

MOTION: A motion was made by Scott Eudey, seconded by Mike Lester.

Move to find the executive session necessary

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

15. Adjournment

The meeting adjourned at approximately 8:43 p.m.

MOTION: A motion was made by Johnnie Parks, seconded by Scott Eudey.

Move to adjourn

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

Attest:

Mayor

City Clerk