



City of Broken Arrow
Emergency Session Minutes
City Council

City Hall
220 S 1st Street
Broken Arrow OK
74012

Mayor Craig Thurmond
Vice Mayor Scott Eudey
Council Member Johnnie Parks
Council Member Debra Wimpee
Council Member Christi Gillespie

Thursday, March 19, 2020

Time 4:00 p.m.

Council Chambers

1. Call to Order

Mayor Craig Thurmond called the meeting to order at approximately 4:00 p.m.

2. Roll Call

Present: 5 - Christi Gillespie, Debra Wimpee, Johnnie Parks, Scott Eudey, Craig Thurmond

3. General Council Business

A. 20-361 Consideration, discussion and possible advisory vote by City Council on Proclamation by Craig Thurmond, Mayor of the City of Broken Arrow, of an emergency limiting and closing certain commercial businesses due to the COVID-19 Pandemic

Assistant City Manager Russell Gale reported yesterday morning he received correspondence from the Tulsa County Health Department, Dr. Bruce Dart, requesting the City consider issuing an executive order mandating the closure of local bars, restaurants, movie theaters, gymnasiums and other entertainment and food service venues similar to the Proclamation recently issued by Tulsa Mayor Bynum. He stated after visiting with Mayor Thurmond this Emergency Session Meeting was scheduled and Dr. Bruce Dart was invited to speak to City Council and explain the purpose and intent of his request.

Dr. Bruce Dart, Executive Director of Tulsa Health Department, stated he was a resident of the City of Broken Arrow. He thanked City Council for holding this Meeting to discuss the difficult situation. He reported two days ago Mayor Bynum agreed, in lieu of vaccines and therapies or other means to protect citizens, due to COVID-19, and there being no other way to prevent transmission, the chain of transmission needed to be broken. He explained COVID-19 was a new virus and as such no individual had an immunity to COVID-19 other than those who caught and survived the virus. He stated the transmission of this virus was very rapid. He reported the first death caused by COVID-19 in Tulsa County was announced this morning, as well as the first case in Broken Arrow. He stated COVID-19 was here, and it was largely undetected as there was a huge shortage of screening supplies. He indicated there were very specific demographics at risk for illness and death. He explained, at this juncture, due to the lack of vaccines and medicinal therapies, the only option was to try to limit exposure. He stated one way to limit exposure was to prevent citizens from gathering. He stated an algorithm was developed which illustrated risk of exposure through contact. He explained bars or restaurants, or anywhere individuals gathered, sat, ate, and stayed for extended periods of time had an exponentially higher risk for exposure. He noted grocery stores and convenience stores were not included on the high exposure risk list as individuals typically came and left these types of stores quickly. He stated COVID-19 was transmitted through “droplet spread” via respiratory expirations (such as coughing); the virus did not hang in the air; it fell on surfaces. He stated research showed younger demographics who had COVID-19 had very mild cases or showed no symptoms at all, but were still infectious; therefore, children with the virus could be spreading COVID-19 without being aware. He stated he understood how difficult this decision was; he understood these businesses were the livelihood of residents and supported many in the community. He applauded the City Council’s courage for meeting to have this conversation. He stated to protect the Citizens of Broken Arrow “we have to come together to stay apart.” He indicated COVID-19 was here; the known cases in the area had no evidence of travel related exposure which meant the virus was caught within the community. He explained this meant there was now community spread and community infection.

Dr. Dart noted his father was a restaurant owner in a different state and he understood this was a hard conversation and a difficult situation. He indicated the government had a responsibility to protect the citizens. He stated he understood the last thing the government wished to do was intrude in its citizens’ lives; however, the government was responsible for quality of life and assuring citizens could be safe. He explained due to the lack of testing supplies, if the City did not get a handle on the situation and stop transmission, the City’s healthcare system would be overwhelmed. He noted the City needed to protect not just citizens, but healthcare providers and first responders; this mandate would help protect

citizens and healthcare providers, as well as maintain City services, police and fire. He noted he understood it felt dramatic to be holding this conversation, but the danger was real. He indicated the pharmaceutical community was working towards a vaccine, but this might take a year or more. He noted there were a few therapies which were proving effective, but there had been no clinical trials as of yet; medical treatments and preventions would be available only in the future. He applauded Mayor Byrum's decision in Tulsa. He noted it was a difficult decision, but it was important to protect the community and prevent unnecessary risk. He indicated he sent Mr. Russell Gale information which illustrated what could happen if an individual living an average regular life could infect over 400 individuals in thirty days. He explained the social distancing model came from the CDC and was very clear. He noted the CDC based its recommendations on proven science. He stated the situation would continue to worsen before it began to improve. He asked City Council to consider a referendum closing or restricting businesses to prevent gatherings and break this chain of transmission.

Council Member Debra Wimpee asked if Dr. Dart had any recommendations regarding childcare services. Dr. Dart noted there were some facilities not considered in the recommended mandate which were being investigated, such as childcare, hair salons, and nail salons. He indicated conversations were being held regarding childcare. He stated he had spoken to the State Health Commissioner Gary Cox regarding concerns about hair salons and nail salons.

Vice Mayor Scott Eudey indicated COVID-19 was being compared to the flu; social media was iterating more people die of the flu than COVID-19. He stated listening to Dr. Dart, the difference between COVID-19 and the flu, as he understood, was the flu had vaccines and treatments available, residents had built up immunities, but with COVID-19 no vaccines, treatments, or immunities existed; therefore, the only way to stop progression of the virus was through social distancing. Dr. Dart concurred. He stated in two or three years, COVID-19 would no longer be an issue as medical therapies and vaccines would be available. He noted influenza pandemics had occurred in the past, but there were always treatments available for influenza viruses; there was no treatment available for COVID-19. He stated the World Health Organization tracked these new viruses annually; the last pandemic was in 2009 with H1N1 for which the medical community was prepared. He explained the possibility of an H1N1 pandemic was understood three years in advance and plans were set in place in this regard. He reported the COVID-19 was abrupt and unexpected; therefore, the medical community was unprepared. He discussed the typical development of viruses, where viruses originated, and how quickly the COVID-19 virus evolved.

Council Member Wimpee asked how individuals were recovering from the COVID-19 virus, specifically the local resident with the virus. Dr. Dart noted individuals known to have the coronavirus were tested twice after proving to be fever free; if the patient had two negative tests then the patient was considered to be recovered. Council Member Wimpee asked if there was a treatment for the local COVID-19 patient. Dr. Dart responded in the negative; the local patient was not sick enough to be hospitalized and was released to recover at home. He noted the local patient who died from the COVID-19 virus had been hospitalized and passed away while hospitalized. Council Member Wimpee asked if the patient had underlying pneumonia. Dr. Dart responded he could not discuss underlying conditions due to HIPPA restrictions. He noted the other COVID-19 patients in the area did not require hospitalization, which was a blessing; these individuals were recovering at home.

Council Member Christi Gillespie asked if an individual who recovered from the COVID-19 virus was immune to COVID-19. Dr. Dart responded this virus was so new the science was not in place to say for certain. He noted it was difficult to know whether the individuals who had suffered from this virus twice were suffering a relapse or a reinfection. He explained it was too early to know; possibly in six months this would be known.

Council Member Gillespie asked if COVID-19 was a form of SARS. Dr. Dart responded in the affirmative; the coronavirus was a type of SARS. He explained coronavirus caused most common colds. He noted in 2003 when coronavirus genetically mutated it became SARS. He stated coronavirus mutated regularly; however, typically it was not a serious situation and only caused common cold symptoms. Council Member Gillespie asked if there was a vaccine for SARS. Dr. Dart responded in the negative; SARS was still present but was not as infectious as it was previously. He stated he hoped COVID-19 would behave like a seasonal flu and as temperatures rise, viral activity lessens.

Mayor Thurmond reported himself, Russell Gale, and Trevor Dennis had a phone call with the White House yesterday during which the Vice President explained COVID-19 was three times more contagious than the flu and could be passed on by individuals not showing symptoms. Dr. Dart concurred. He stated if there were better testing resources it would be simpler to track the virus, but this was not the case; therefore, social distancing was even more important.

Council Member Wimpee stated she understood individuals who felt they might have COVID-19 were unable to obtain tests. Dr. Dart concurred; this was true. He noted there were simply not enough test kits available. He indicated he spoke with the State Health Commissioner this morning and in the State's Public Health Laboratory there were 160 specimens awaiting tests. He noted the public was being asked to stay home if sick; however, it was important to see a health care provider and determine if you have the flu or pneumonia or some other virus. He stated there was a huge number of undetected cases of COVID-19 due to the lack of testing kits.

Vice Mayor Eudey noted the COVID-19 pandemic was discussed during the City Council Meeting two days ago and it was agreed whatever decision was made regarding the COVID-19 virus impacted residents the least but provided the greatest amount of protection. He asked if Dr. Dart believed these were the least restrictive steps the City could take to minimize the damage which could occur if steps were not taken. Dr. Dart responded in the affirmative. He stated he absolutely believed if this Proclamation was not enacted Broken Arrow could expect a much greater negative impact on the community. He stated the sooner the spread was lessened, the sooner life could get back to normal.

Council Member Wimpee asked Dr. Dart's opinion about grocery stores with hour long waits. Dr. Dart stated this was an example of the importance of the government communicating with the public. He stated it was important to show solidarity in communicating the same messages to the public to prevent such things as panic hoarding. He stated he would be very concerned about exposure in a grocery store which had hour long checkout wait times. He indicated good government communication would encourage the public to calm down.

Mayor Thurmond noted most grocery stores offered curbside pickup.

Vice Mayor Eudey stated the Proclamation would still allow for curbside pickup, drive through orders, to-go restaurant orders, etc.; it was simply important to avoid gathering situations, such as eating in a restaurant or visiting the gym. Dr. Dart agreed. He noted businesses simply could not properly sanitize after every customer. He stated 95% of the individuals who caught this virus would recover; there was currently a 3% mortality rate.

Council Member Gillespie asked about the number of those hospitalized for COVID-19 in Oklahoma. Dr. Dart responded he did not know this number.

Council Member Johnnie Parks stated the information Dr. Dart provided was vital. He noted he would not oppose the Health Department's recommended guidelines. He stated he felt more information was needed regarding the legality of closing local businesses.

Vice Mayor Eudey stated it was important for Dr. Dart to be present and relay this information; it was important for the public to understand the actions being taken were being taken not because of Tulsa's actions, but because the actions were necessary. He stated he personally was not a virologist and had no medical experience; however, Dr. Dart and the Health Department had the necessary knowledge and education. He thanked Dr. Dart for coming to this Emergency Session and educating City Council as this enabled the City Council to provide proper guidance to Mayor Thurmond in this situation.

Dr. Dart thanked City Council for allowing him to speak. He stated he believed in transparency and the Health Department only provided information based upon science and factual data. He noted his and the Health Department's primary goal was to keep people safe. He stated the science was clear: the only way to protect the people was through social distancing and the prohibiting of gathering.

Council Member Parks stated it was very difficult to practice social distancing; he attempted to shake a Police Officer's hand on his way into the Meeting tonight out of habit. He noted it was important to begin breaking these habits for a time and developing new social distancing habits.

Dr. Dart reported research showed individuals touched their faces on average thirty times per hour; this was something which was done unknowingly but which put individuals at risk.

City Attorney Dennis thanked Dr. Dart for the educational information. He stated based upon the letter Dr. Dart provided he was tasked with drafting a Proclamation which incorporated the CDC's recommendations and the Tulsa County Health Department's recommendations. He reported he carefully reviewed Tulsa's emergency Proclamation and the Broken Arrow Proclamation would closely follow the recommendations made by Dr. Dart. He explained the Proclamation essentially closed down restaurants, coffee houses, bars, cigar bars, gymnasiums, fitness centers, bowling alleys, museums, places where individuals gathered and the transmission risk was increased, especially given the risk of transmission from individuals who were asymptomatic and this being three times more infectious than the flu.

He noted the businesses which were currently open under Tulsa's model included grocery stores, hardware stores, retail stores, hair salons, etc. He noted questions were raised about nail salons and hair salons. He stated the Proclamation put into effect in force of law Dr. Dart's recommendations which incorporated the CDC and the Tulsa Health Department recommendations. He reported the draft Proclamation, if approved, would take effect on Friday March 20, 2020 at 11:59 p.m. which would allow time to communicate the Proclamation to the community and give the community time to comply.

City Attorney Dennis stated he understood Council Member Parks had a question regarding whether the Mayor had the legal authority to make this Proclamation and the short answer was yes, he did. He noted the Mayor had already exercised this power by declaring a state of emergency which restricted the gathering of fifty or more individuals in public facilities. He noted these powers were vested in the Mayor under Title 21, Section 1321.1 and was incorporated in City Ordinances under Chapter 20, Section 20-4. He read a portion of the law which discussed the powers of the Mayor in a state of emergency and specifically authorized the Mayor to prohibit assembling or gathering on public or private property.

Mayor Thurmond asked City Attorney Dennis to discuss the portion of the Proclamation which addressed the fluidity of the situation.

City Attorney Dennis stated because this was a rapidly evolving and changing situation a provision was placed in the Proclamation which recognized the fluid nature of the situation and indicated the Mayor would reevaluate the conditions on an ongoing basis, including at the regularly scheduled April 7, 2020 City Council Meeting. He stated given the way the Statute and Ordinance were written the state of emergency continued until the Mayor issued a termination of the state of emergency.

Council Member Parks noted the question was brought up regarding the Constitutional right the Mayor had to make this Proclamation and City Attorney Dennis had indicated the Mayor did have the right Constitutionally. He asked City Attorney Dennis to discuss this.

City Attorney Dennis reported the Supreme Court had repeatedly recognized the need to balance the rights of citizens against the need to protect citizens and keep citizens healthy and safe, especially in a time of pandemic such as this which was three times more infectious than the flu and had already taken the lives of citizens. He stated he was comfortable the Supreme Court allowed the Mayor to exercise these emergency powers for the health, benefit and safety of Broken Arrow Citizens.

Vice Mayor Eudey asked if City Attorney Dennis was referring to the U.S. Supreme Court. City Attorney Dennis responded in the affirmative. Vice Mayor Eudey asked if the Oklahoma State Constitution was consistent with the U.S. Supreme Court's ruling on the power of the local government to make such Proclamations. City Attorney Dennis responded in the affirmative.

Vice Mayor Eudey stated the goal of the City Council was to make a Proclamation which infringed upon the rights of citizens as minimally as possible while protecting citizens to the greatest level. He asked, after listening to Dr. Dart's concerns and understanding Dr. Dart believed this Proclamation met this standard, if City Attorney Dennis shared Dr. Dart's belief. City Attorney Dennis responded in the affirmative; he 100% agreed with Dr. Dart.

Council Member Gillespie stated she had not read through the Proclamation; however, she wondered how it was decided which businesses would close and which would be permitted to remain open. She stated she heard the rationale regarding allowing businesses to remain open in which individuals did not gather; however, individuals were gathering in grocery stores now. She noted it was important to be consistent in deciding which businesses were permitted to be open. She commented Walmart's curbside pickup was currently unavailable.

Vice Mayor Eudey stated, at the end of the day, the best the City could do was follow the advice and recommendations of the medical community experts. He agreed it was difficult to decide when and where businesses should be closed, and the City should rely on the experts' advice in this regard. He noted if the experts were saying "act right now" the City should listen. He noted he was running into similar difficulties regarding curbside grocery pickup service and overcrowding of certain stores. He stated he was running into difficulties at his place of business; while a law office was not as crowded as most businesses he transitioned as many of his meetings to telephonic meetings as possible. He stated if a meeting required the signing of documents, the conference room was cleaned following each meeting. He noted he was facing the same difficulties with social distancing as Council Member Parks; he was a hand-shaker and a hugger, and he had to stop himself.

Council Member Wimpee asked if the Proclamation would permit restaurants to continue with take out orders. She noted many restaurants self-regulated by sitting customers farther apart or cleaning condiments between customers. She asked if restaurants could continue to

offer take out and delivery options. City Attorney Dennis responded in the affirmative; businesses which had pickup or delivery options could continue to utilize curbside pickup, delivery and drive through service. He explained the Proclamation only prohibited on-premise consumption.

Council Member Parks agreed standing in line for long periods of time close to others was problematic. He asked if there were any plans to remedy this problem.

City Attorney Dennis stated Dr. Dart indicated these difficulties were being continuously reviewed and if the medical experts recommended an action be taken in this regard the Mayor certainly could take said action. He indicated at this point the Proclamation was the City's best effort to follow the advice of Dr. Dart, the CDC, and the Tulsa County Health Department.

Chamber of Commerce President Jennifer Conway thanked the City Council for its leadership. She stated as the Chamber of Commerce President and CEO she daily, and almost hourly, received phone calls regarding residents being laid off and businesses closing. She noted these were painful phone calls to receive. She stated she understood this was a very difficult decision for the City. She noted all the businesses which were currently operating as usual were choosing to stay open for the employees, not just to "make the last buck." She indicated she understood how difficult these decisions were for everyone from President Trump down to Mayor Thurmond. She stated she was sorry Mayor Thurmond was in this position, she was sorry America was in this position, she was sorry the world was in this position. She stated she and the Chamber of Commerce supported Mayor Thurmond; she believed no business would choose to stay open in exchange for a life. She noted the situation was rapidly changing moment to moment and the information available last week was not the information available now. She commended the City Council for its thoughtfulness and consideration in making these decisions. She stated the Chamber of Commerce called all restaurants in Broken Arrow today and out of 186 restaurants, 177 were waiting and ready to switch to curbside pickup and delivery service only. She stated the restaurants and businesses understood the decisions which needed to be made. She indicated while some would be angry, this was a difficult choice and there was no way to please everyone. She stated the Chamber of Commerce was prepared to go live and public about the Proclamation and about how to ensure the least number of jobs and individuals suffered. She called on the Community, if this Proclamation was made today, to commit to regularly purchasing at least one takeout meal from a local restaurant. She noted last week the only recommendation was to regularly wash hands; this week was completely different. She stated the Chamber would continue to support the Community in every possible way. She noted some restaurants had already shut down inside dining. She encouraged the Community to support local businesses by ordering pickup and delivery, purchasing gift certificates, and generally supporting businesses as much as was safely possible.

Citizen Randall Ryan stated he was a local business owner. He thanked Dr. Dart for providing the much-needed information. He stated as a restaurant owner he was required to follow local government law, as well as Tulsa Health Department regulations. He stated as a restaurant owner he spent much of his time cleaning and sanitizing his restaurant. He noted Vice Mayor Eudey commented on the need to sanitize a conference room following every meeting now. He stated cleaning and sanitizing was common sense behavior. He stated he felt the government was incorrectly focused on shutting businesses down. He discussed his last trip to Sam's Club describing a woman with a cough who was not following proper sanitary protocol. He stated if a customer in his restaurant was not following proper sanitary protocol, he asked said customer to leave because he did not wish to close. He noted residents were governing themselves. He stated the City Council should be proud at how residents stepped up during this situation. He stated COVID-19 was not named after the year 2019, it was the 19th version of the COVID virus. He stated he was a spiritual man and the Broken Arrow logo included "In God We Trust." He noted he moved to Broken Arrow seven years ago from Illinois; Illinois was completely shut down. He stated "In God We Trust" was a symbol of peace and the citizens needed peace. He stated Walmart's curbside service was going to be shut down because Walmart could not keep up with the orders. He stated as a restaurant owner he was governed by the Tulsa Health Department and was paying close attention to the changing situation. He noted the City of Bixby chose not to mandate restaurant closures.

Mayor Thurmond reported the Mayor of City of Bixby signed a Proclamation similar to the Broken Arrow Proclamation today.

Mr. Ryan noted Broken Arrow was not Bixby and was not Tulsa. He stated he trusted what City Council decided and he trusted what Dr. Dart was reporting. He reported he was sanitizing everything in his restaurant constantly. He noted every fifteen minutes something was being cleaned in his facility. He indicated he was offering curbside service. He stated he would do whatever was necessary.

Citizen William Rogers stated he agreed with Ms. Jennifer Conway's comments. He noted the City Council was in uncharted territory and no matter what decision was made someone would be unhappy. He applauded City Council for its efforts, and he hoped everyone would support the decisions made by Broken Arrow City Government. He stated he was a Broken Arrow resident and a health care professional (a dentist) and a member of the world community. He stressed he was not present to contradict Dr. Dart. He noted the statistics were frightening. He stated he believed the City would be remiss not to listen to the health care professionals. He referenced a video he obtained called "COVID-19 Basics" by Samuel Philbrick (ph) which clarified why it was important to stretch out this contagion over time and prevent the pandemic from reaching a high peak and overstressing the medical facilities. He stated the question was how long this would take. He noted he felt Tulsa County was behind the curve in number of cases. He stated while the dynamics of the spread were very clear, he felt "we should paint what we are doing over a socioeconomic canvas." He stated there was a lot of empirical data regarding how fast spreading and how dangerous COVID-19 was. He stated if Broken Arrow was three weeks behind, as he felt it was, and Broken Arrow "jumped off the cliff" today, in three weeks there would be another cliff to face. He suggested tiering the shutdowns, gradually shutting down businesses over time, while keeping track of Tulsa County numbers. He stated there were serious ramifications for a long-term break in the social and economic structure. He asked the City Council to consider his suggestion.

Council Member Gillespie stated she understood Bixby made a Proclamation yesterday. She asked if another Proclamation was made today in Bixby. Mayor Thurmond responded in the affirmative. He reported Bixby, Collinsville, Owasso, Muskogee, Stillwater, Norman, Edmond, Oklahoma City, Tulsa and Lawton had passed similar Proclamations or were meeting to discuss similar Proclamations tonight and tomorrow morning.

Council Member Gillespie stated the CDC recommended avoiding social gatherings in groups of more than ten individuals. She asked if there was any way to limit social gatherings to ten individuals but still allow restaurants to remain open. She stated if a restaurant could not host more than ten people, most likely it would be forced to close the dining room, but it would be following the CDC guidelines exactly while allowing businesses to make the decision to remain open or to close.

Mayor Thurmond stated the CDC, along with the President of the United States, recommended not dining out. He stated the President made this recommendation yesterday at a press conference. He stated on Tuesday two individuals tested positive for the COVID-19 virus, two days later there were five cases and one death of an individual who was in their 50s which he did not consider elderly. He stated data indicated 40% of the individuals hospitalized were in between the ages of 20 and 54 and would most likely survive the COVID-19 virus; however, the health of Broken Arrow Citizens should be of the utmost importance. He stated he supported local business and he believed government should not interfere with business, but COVID-19 was a serious health concern which needed careful consideration.

Council Member Parks stated he owned a contracting business for thirty years, during most of which the business thrived; however, in 1986 he nearly went bankrupt and was forced to lay off several employees. He stated he understood the difficulty of this situation. He stated as the Health Department made the recommendation and the President made the recommendation, he did not feel this was a difficult decision, but it was an upsetting decision. He stated he understood how terrible it was to lay off employees and it made him upset and sad to make this decision which was necessary to protect the health of Broken Arrow residents. He stated he felt sorry for Mayor Thurmond; Mayor Thurmond had worked very hard to improve the Rose District and bring in new businesses and now Mayor Thurmond was forced to make a decision for health purposes which potentially would negatively affect these businesses. He stated he felt this was the right decision and he was in agreement with the Proclamation, but it was upsetting. He noted City Council felt ownership over the businesses in Broken Arrow and it was upsetting to make this Proclamation, but he felt there was no choice. He stated he felt the sooner this Proclamation went into effect the shorter the duration of the pandemic would be in Broken Arrow. He indicated he and his wife did not often eat out but would make an effort to pick up takeout meals regularly to support local restaurants.

Vice Mayor Eudey agreed with Council Member Parks. He stated he was the former Chairman of the Board of the Chamber of Commerce and was the former Chairman of the Board of the Senior Center, both of which would be tremendously impacted by any decision made tonight. He stated he loved both entities and the people these entities represented. He indicated he received accusatory emails claiming he was heartless and only cared about a profit, while he received other emails which claimed he was too stupid to understand the science of why this Proclamation was necessary. He indicated as such he could not win no matter choice was made; however, he did not care, this was about saving citizens and minimizing pain and suffering in the Broken Arrow Community. He agreed with Council

Member Parks; he was not a doctor and would rely on the medical professionals who understood this situation fully. He stated if social distancing would allow his 90-year-old grandmother to live he agreed with social distancing. He stated he had many 90-year-old, 80-year-old and 70-year-old friends whom he loved and if the City had to alter how businesses operated for a period of time, it was a necessary price to pay to ensure these loved ones were safe. He reluctantly, but firmly, recommended to the Mayor this Proclamation be signed.

Council Member Wimpee agreed with Council Member Parks and Vice Mayor Eudey. She stated it was frustrating to receive emails claiming she was an embarrassment. She stated she was embarrassed by the way certain individuals were behaving towards others in the Community. She stated she understood citizens were acting out of fear, but terrible behavior was happening. She stated she was communicating regularly with local businesses who were praying for the City Council and praying for the situation. She stated it was important to understand the overall picture and the possible repercussions of action or inaction. She indicated if this Proclamation was necessary to protect the health of the community, then so be it. She thanked Ms. Jennifer Conway for sharing with the City Council. She stated she knew Ms. Conway understood the situation well and understood how difficult it was to be called an idiot, to be accused of taking the situation too lightly, accused not understanding. She stated this was a difficult situation for all.

Mayor Thurmond noted everyone in authority was currently receiving negative accusatory emails. He stated it was important to make the right decision for the safety of the Broken Arrow Citizens.

Council Member Gillespie stated she fully supported Mayor Thurmond and his decisions. She read an email she received from the President and CEO of the Senior Center: "Although we are closed, we are still providing meals to our members. Yesterday we fed 28 members. It was the first day of drive-through service. People drive through the front drive and received their to-go lunch. We also delivered lunch to five members who did not have transportation. We will continue, and if the possibility exists to help older adults, I am happy to explore how we can provide help and assistance to our vulnerable, older, adult population." She stated this was an excellent example of the Broken Arrow Community. She stated she hoped others would reach out and help those in need in this situation.

Council Member Wimpee asked when this Proclamation would go into effect. Mayor Thurmond responded the Proclamation would go into effect at 11:59 p.m. tomorrow night. Council Member Wimpee asked if the Proclamation could change. Mayor Thurmond stated the Proclamation could be terminated at any time; if the situation improved in two days, he would terminate the Proclamation. He explained this was why it was important to discuss the situation at the April 7, 2020 City Council Meeting. He stated the duration of the Proclamation was unknown at this time, but as soon as the situation allowed, Citizens would be allowed to return to normal life. He noted unfortunately, most likely, the next several weeks would be affected.

Vice Mayor Eudey stated he understood statutorily this decision was up to the Mayor who had graciously allowed the City Council to participate in the discussion. He asked if another Emergency Session could be scheduled to hold a similar discussion if the situation changed. City Attorney Dennis responded in the affirmative; in emergency situations City Council Emergency Sessions could be held as needed. Vice Mayor Eudey indicated it was important to be able to assist when needed, especially given the fluidity of the situation and the weight of the decisions which needed to be made.

Mayor Thurmond stated while State Statute gave him the authority to sign this Proclamation, each City Council Member's opinion was important. He stated he felt it was important to discuss the situation as a group and make a decision regarding how to move forward. He agreed another Emergency Session might be necessary.

Vice Mayor Eudey asked if it would be appropriate for the City Council to place a vote on the record expressing its position. City Attorney Dennis responded this was permitted; it would be an advisory vote as by Statute it was the Mayor's decision ultimately. He indicated a non-binding advisory vote could be entertained.

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

Move to advise the Mayor the City Council supported his issuance of this Proclamation at this time

The motion carried by the following vote:

Aye: 5 - Christi Gillespie, Debra Wimpee, Johnnie Parks, Scott Eudey, Craig Thurmond

4. Adjournment

The meeting adjourned at approximately 5:08 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 - Christi Gillespie, Debra Wimpee, Johnnie Parks, Scott Eudey, Craig Thurmond

Mayor

City Clerk