

**City of Broken Arrow**  
**Minutes**  
**City Council Teleconference Meeting**

*Mayor Craig Thurmond (via videoconferencing and/or teleconferencing)*  
*Vice Mayor Scott Eudey (via videoconferencing and/or teleconferencing)*  
*Council Member Johnnie Parks (via videoconferencing and/or teleconferencing)*  
*Council Member Debra Wimpee (via videoconferencing and/or teleconferencing)*  
*Council Member Christi Gillespie (via videoconferencing and/or teleconferencing)*

**Tuesday, April 7, 2020**

**Time 6:30 p.m.**

**1. Call to Order**

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

**2. Invocation**

There was no invocation.

**3. Roll Call**

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

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

Council Member Christi Gillespie 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 Scott Eudey, seconded by Christi Gillespie.

**Move to approve the Consent Agenda**

The motion carried by the following vote:

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

- A. 20-7** Approval of the City Council Meeting Minutes of March 17, 2020
- B. 20-384** Approval of the City Council Emergency Meeting Minutes of March 19, 2020
- C. 20-372** Approval of and authorization to execute a Proclamation declaring the week of April 12 - 18, 2020 as National Telecommunicators Week
- D. 20-400** Approval of and authorization to execute Resolution No. 1317, a Resolution ratifying the decision of the City Manager to grant Great American Insurance Company an additional ninety (90) days from April 6, 2020, until July 6, 2020, to commence performance of the Tiger Hill Soldier Pile Retaining Wall contract #171703 or make a satisfactory arrangement for continuation of contract #171703
- E. 20-402** Approval of and authorization to execute Resolution No. 1318, declaring Rooster Days, on September 3-6, 2020, a holiday
- F. 20-391** Approval of and authorization to execute a Professional Consultant Agreement with ACTION Sports Design, LLC for the Nienhuis Park Skate Park Expansion (Project No. 196029)
- G. 20-359** Approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and Hall Estill, Attorneys at Law for providing counsel and legal advice regarding water related issues
- H. 20-280** Approval of and authorization to execute an amendment to the Tyler Technology contract dated July 16, 2019, to adjust the BMI software and hardware costs related to

- L. 20-388 Award the most advantageous bid to GT Distributors for the Police Glock Trade-in Buy/Back for the Police Department
- M. 20-373 Award the most advantageous bid to 911 Custom for the purchase of police vehicle equipment for the Police Department
- N. 20-379 Award the most advantageous bid to Warren CAT for the purchase of one (1) Caterpillar Combo Vibratory Asphalt Compactor CC34B for the Streets Division of the Streets and Stormwater Department
- O. 20-381 Award the most advantageous bid to Southwest Trailer for the purchase of three (3) Monroe MV-168-82-56 201SS Spreaders for the Streets Division of the Streets and Stormwater Department
- P. 20-376 Acceptance of a Temporary Construction Easement consisting of 0.058 acres from Goodwill Industries of Tulsa, Inc., on property located at 2210 West Washington Street, Broken Arrow, Oklahoma, located in part of the Southeast Quarter of Section 16, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma for the Washington Street Improvements, Olive to Aspen, Parcel 5B (Project No. ST1616A)
- Q. 20-387 Approval of PT20-101, Preliminary/Conditional Final Plat, EKD-Pad "A", 1.34 acres, 1 Lot, A-1 to CH, south of Kenosha Street (71st Street), one-quarter mile west of 23rd Street (County Line Road/193rd E. Avenue)
- R. 20-393 Ratification of the Claims List Check Register dated March 31, 2020

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

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

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

There were no Public Hearings, Appeals, Presentations, Recognitions or Awards.

#### 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)

Curtis Green, City Clerk, stated prior to the decision of holding a teleconference meeting, Citizen Grady Cole from 1005 Wesley Drive requested to appear before City Council to discuss excess water runoff on his property. He stated Citizen Cole provided photos to the Community Development and Services Department illustrating the water runoff. He noted these photos would be forwarded to the City Council Members for review.

#### 9. General Council Business

- A. 20-397 **Consideration, discussion and presentation of Amended Proclamation by Craig Thurmond, Mayor of the City of Broken Arrow Ordering all Citizens to Shelter in Place due to the COVID-19 Pandemic**

Mayor Thurmond asked for this Item to be included in the Agenda for the April 21, 2020 City Council Meeting for discussion once again. He asked if any wished to discuss the Amended Proclamation today.

Council Member Christi Gillespie stated she agreed with the Proclamation as recommended by the Governor of Oklahoma.

Council Member Debra Wimpee stated she believed the Citizens of Broken Arrow were handling the situation well. She noted the big box stores were self-regulating.

Vice Mayor Scott Eudey stated he believed the Proclamation was consistent with the Governor's recommendations and consistent with the White House recommendations. He indicated he was uncomfortable the government was required to make such Proclamations; however, it was important for the Citizens to understand the importance of following the recommendations. He agreed with Council Member Wimpee; he believed the Citizens were handling the situation very well. He noted he saw fewer residents out, many residents were wearing masks, and the big box stores were working to accommodate health concerns raised by COVID-19.

Mayor Thurmond asked if the City Council agreed to revisit this Item on April 21, 2020, or if the Council wished to postpone until April 28, 2020.

important for the economy to work towards normalcy and as soon as was possible the Proclamation would be rescinded.

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

**Move to table this Item for further discussion at the next City Council Meeting**

The motion carried by the following vote:

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

**B. 20-405 Consideration, discussion and possible action by City Council directing the City Manager to draft and prepare additional measures for the enforcement of the CDC guidelines for essential businesses, including the drafting of ordinances**

City Manager Spurgeon noted prior to the shelter in place order he heard from Citizens and Council Members regarding social distancing and sheltering in place. He stated he heard complaints about larger retailers being slow to implement necessary social distancing and shelter in place measures. He stated in conjunction with the Mayor extending the shelter in place Proclamation, his Office hand delivered a letter to major retailers in the community asking retailers to focus on social distancing requirements and to curb the number of customers permitted inside each business. He stated each member of the City's Economic Development and Tourism Team (TED Team) was responsible for hand delivering this letter to specific businesses within the City. He explained the letters were delivered to and discussed with store managers. He noted many businesses had already begun the process of establishing social distancing measures. He reported many businesses in the City now limited the number of customers allowed within the store and implemented social distancing measures, such as 6 feet apart tape markers for standing in line, as well as additional hygiene measures such as shields between customers and checkout clerks. He noted some retailers were considering one-way aisles for customers. He stated the CDC was recommending all employees wear face masks to protect employees and customers. He reported TED Team members would continue to communicate with local businesses and would be present to assist when the time came to begin reopening businesses.

City Manager Spurgeon indicated store managers were requesting Citizens limit shopping responsibilities to one person per family if possible and to respect social distancing rules when within a store. He noted retailers were also asking individuals not to touch items they had no intention of purchasing. He noted retailers were encouraging residents to utilize the in-store hand sanitizers on the way into and out of the stores. He reported many items were beginning to become available again, such as toilet paper and hand sanitizer.

City Manager Spurgeon stated due to the actions being taken by local businesses and residents alike, due to the cooperation of all, he believed no additional action was needed by City Council at this time.

Mayor Thurmond asked if the City Council wished to take further action or table this Item for further discussion at the next City Council Meeting.

Vice Mayor Eudey stated he did not wish to enact an Ordinance regarding social distancing and health requirements if it was not necessary; however, if businesses failed to self-enact CDC recommendations this might become necessary.

Council Member Parks agreed. He stated it was important to know the City was monitoring the situation and if needed an Ordinance could be enacted and enforced; however, if businesses were being compliant this would not be necessary. He indicated the stores he had visited were doing an excellent job following CDC and City recommendations. He asked the City Manager to keep the City Council informed in this regard.

Council Member Wimpee agreed. She noted she spoke with Reasor's and Walmart in her Ward and both were more than willing to act to keep the employees and customers as safe as possible.

Council Member Gillespie agreed an Ordinance was not necessary. She stated she felt

**located north and east of the northeast corner of Washington Street (91st Street) and Aspen Avenue (145th E. Avenue)**

Community Development Coordinator Larry Curtis reported Planned Unit Development (PUD)-74B involved a 7.54-acre parcel located north and east of the northeast corner of Washington Street (91st Street) and Aspen Avenue (145th E. Avenue). He stated the applicant was requesting a Major Amendment to PUD-74 to allow a medical marijuana dispensary to continue to be located on the property; the dispensary was presently located on the north end of the Aspen Square Shopping Center. He reported PUD-74 was approved by the City Council on October 5, 1992, as part of an 8.8-acre commercial shopping center and mini-storage development. He indicated the north part of the property had an underlying zoning of C-5 (Highway and Recreational Commercial), while the south part of the property had an underlying zoning of C-3 (Neighborhood Convenience Shopping). He stated in 2008, the Zoning Ordinance was updated, and the C-5 district became CH (Commercial Heavy) and the C-3 district became CN (Commercial Neighborhood). He stated on September 18, 2018, the City Council approved Ordinance No. 3540 which established regulations for retail medical marijuana dispensaries: medical marijuana dispensaries were recognized as a permitted use in the commercial zoning districts, including the CN (Commercial Neighborhood) district. He reported on September 25, 2018, an injunction was issued by a District Court and was appealed by the City of Broken Arrow; during the lawsuit the Oklahoma Legislature enacted laws which became effective August 30, 2019:

“Municipalities may follow their standard planning and zoning procedures to determine if certain zones or districts would be appropriate for locating marijuana-licensed premises, medical marijuana businesses or any other premises where marijuana or its by-products are cultivated, grown, processed, stored or manufactured.” He noted the plaintiff’s lawsuit and injunction was dismissed by the Oklahoma Supreme Court on November 19, 2019.

Mr. Curtis reported, according to the applicant, OKMC Medical Marijuana Dispensary had been located on the property since January 2019. He stated at the time PUD-74 was approved in 1992, a medical marijuana dispensary was not identified as a permitted use; today, the City of Broken Arrow Zoning Ordinance recognized a medical marijuana dispensary was a permitted use in the CN district. He explained for the applicant to be able to renew the medical marijuana license, acknowledgement from the local jurisdiction that the dispensary was in compliance with the Zoning Ordinance was required; therefore, for Staff to acknowledge zoning was in compliance, medical marijuana dispensary had to be recognized as a permitted use in PUD-74. He explained according to Zoning Ordinance, to change the list of permitted uses in a PUD required a Major Amendment to the PUD; as a result, the applicant submitted a request for a Major Amendment to PUD-74 to allow medical marijuana dispensary as a permitted use (PUD-74B).

Mr. Curtis stated according to Section 6.4 of the Zoning Ordinance, the PUD provisions were required to be established for one or more of five purposes (listed in the Agenda Packet). He reported in Staff’s opinion, PUD-74B continued to satisfy purpose no. 1 of Section 6.4.A of the Zoning Ordinance. He stated when PUD-74 was approved by the City Council in 1992, there were concerns about screening fences, setbacks, buffering, lighting, security, and noise. He noted the mini storage on the north end of the property worked as a good buffer between the residential area to the north and the shopping center. He stated a large portion of the north part of the shopping center, close to where the dispensary was located, was presently vacant. He noted this vacant space represented a significant amount of square footage in the shopping center. He stated keeping an existing business in the shopping center which generated sales tax revenue for the City of Broken Arrow helped to maintain the vitality of the shopping center and added value to the PUD; in addition, keeping the existing Commercial Neighborhood uses maintained the appropriate limitation on the character and intensity of use on the property. He noted Broken Arrow Code allowed the City to impose reasonable terms and conditions on dispensaries to obtain compliance; through this ordinance, the City had the authority to require windows not be permanently covered, in addition, the City could require blinds remain open during standard business hours. He reported on March 12, 2020, the Planning Commission reviewed and recommended approval, by a vote of 4 to 0, of PUD-74B as per Staff recommendation.

Vice Mayor Eudey asked how often the license was required to be renewed. Mr. Curtis responded annually. Vice Mayor Eudey noted if the PUD Major Amendment was approved and the State Bill were to pass, then State law would supersede the PUD and the dispensary would not be permitted in this location. Mr. Curtis concurred; the PUD would not change State law. He explained the PUD only allowed certain uses if in compliance with State and local law.

Deputy City Attorney Danny Littlefield indicated Mr. Curtis was correct. He explained if the PUD were passed today the dispensary would be permitted to remain in this location until its license came up for renewal next year at which time, if State Bill 1245 passed and was signed into law, the dispensary would be required to relocate.

Vice Mayor Eudey asked if City Council decided to table this item until the State Bill were passed, would the City be in any legal jeopardy. Mr. Littlefield responded if the daycare facility had a license under the Oklahoma Childcare Facilities Licensing Act, it did not qualify as a school; therefore, under the law as it stood currently, the dispensary was entitled to the use if the PUD were approved by City Council.

Council Member Wimpee asked if an extension could be issued for the dispensary to continue to operate for the next month until the State Bill were decided without needing to change the PUD. Mr. Littlefield responded in the negative.

Council Member Gillespie agreed with Council Member Wimpee. She stated she felt uncomfortable voting on this Item today. She noted there were five dispensaries within one mile of each other at this location. She stated changing the PUD to add an allowed use which was not adding anything positive to the area made her uncomfortable.

Vice Mayor Eudey agreed; however, he noted changing the PUD did not actually impact the area if the State Bill were passed, as approving a dispensary as an allowed use was irrelevant when State Law prohibited a dispensary to be located within 1,000 feet of a learning facility. He noted approving the PUD today would allow the dispensary one more year in this location only, assuming the State Bill passed.

Council Member Gillespie stated approving the PUD today and allowing the dispensary to remain in place an additional year was unfair to the learning facility.

Mayor Thurmond asked if State Bill 1245 had an emergency clause which would bring it into effect July 1, 2020. Council Member Wimpee responded she was unsure; she would check. Mayor Thurmond noted if the State Bill did not include an emergency clause it would not go into effect until November 1, 2020.

Vice Mayor Eudey stated his concern was City Council was required to respond according to current law, not possible law.

Council Member Parks asked if any of the businesses which were currently a part of the PUD objected to this Major Amendment. Mr. Curtis responded in the negative; he did not receive objections from any business within the shopping center, nor were there objections from residents.

Council Member Gillespie asked who was notified about this possible PUD Major Amendment. Mr. Curtis explained all businesses and homeowners within 300 feet of the property were notified, a sign was placed on the property, and notice was placed in the newspaper.

Council Member Gillespie stated she was uncomfortable approving a PUD Major Amendment for a single business which may or may not be permitted to remain in the area.

Council Member Parks stated if there were no PUD in place the dispensary would be allowed as a permitted use due to the underlying zoning. He noted if the State Bill passed then the

place. He stated PUD amendment requests were required to be considered under the laws which were currently in place. He indicated he agreed with Council Member Parks for this issue.

Council Member Parks commented on the notification process and indicated if there had been any objection regarding this PUD Amendment he would feel differently; however, as there were no objections to the Amendment, it should be approved.

Council Member Gillespie asked if any homeowners had been notified. Discussion ensued regarding the 300-foot notification area, and the sign which was posted in front of the business.

The applicant, Tim Terral with Tulsa Engineering Planning and Associates, stated his address was 9810 East 42<sup>nd</sup> Street, Suite 100. He indicated he believed many residents had been including in the 300-foot radius of notification. He stated the current dispensary owner had been in place since 2019 and was in compliance with current law. He noted he felt it was unfair to hold the current owner to standards of law which may or may not be passed by the State Senate. He commented this PUD was 28 years old and many things had changed in the past 28 years; therefore, amending the PUD was a fair request. He noted if the area had straight zoning the business would be permitted as the area had an underlying zoning of CN (commercial neighborhood). He reported the dispensary had gross sales of over \$1.4 million dollars last year and paid almost \$120,000 dollars in sales tax and \$99,000 dollars in marijuana tax of which a large portion went to education.

Mr. Curtis stated there were thirty individuals who were notified concerning this PUD Major Amendment, including residential homeowners to the north, east and south.

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

**Move to approve PUD-74B as recommended by Planning Commission and Staff**

The motion carried by the following vote:

<b>Aye:</b>	<b>4 -</b>	Debra Wimpee, Johnnie Parks, Scott Eudey, Craig Thurmond
<b>Nay:</b>	<b>1 -</b>	Christi Gillespie

Council Member Wimpee explained she voted yes as the current law permitted the dispensary as a use in this location. She stated she hoped the dispensary understood if the State Bill passed it would be required to relocate in a year; however, the approval of the PUD Amendment would allow the business time to develop a game plan for relocation.

Council Member Parks noted the age of a PUD held no importance in regard to Amendments, as PUDs were understood to be permanent. He noted objections to PUD Amendments held importance and there were none in this case. Vice Mayor Eudey agreed.

**D. 20-390 Consideration, discussion and possible approval of and authorization to execute a budget transfer request to fund project 201710 - Gateway Master Plan**

Manager Special Projects Charlie Bright reported Item D and Item E were both for the Gateway Master Plan project. He stated the Annual Budget was approved in June 2019. He explained in an effort to be transparent, it was internal policy to bring to City Council's attention any request to re-appropriate funds from one project to another, or to re-appropriate funds for a new project not previously approved as part of the current Annual Budget. He stated as it pertained to this budget transfer request, a new project had been discussed several times by City Council regarding the creation of Gateways across the City designed to beautify entry corridors into the City. He stated City Manager Spurgeon and Assistant City Manager Kenny Schwab challenged himself (Charlie Bright) and Travis Small to develop a plan to accomplish this goal. He reported it was determined hiring a single consultant to develop a Master Plan for the development of the Gateways would be best, following which the Master Plan could be gradually put into action and the Gateways could be developed as the funds became available. He stated Item D was a request to transfer funds to develop a Gateway Master Plan. He reported Item E would be to approve the contract with the consultant.

City Manager Spurgeon noted the City had worked with GH2 Consulting in the past. He stated he believed the actual construction of the Gateways could be slowed as a result of crisis impact on the Budget. He indicated the City Council would have to prioritize projects in the future as a result of the crisis and it was possible the Gateways would move onto the proverbial "back burner;" however, having the consultant develop a Master Plan would enable the City to budget for the project in the future.

MOTION: A motion was made by Scott Eudey, seconded by Christi Gillespie.

**Move to approve and authorize execution of the Budget Transfer Request to fund project 201710**

The motion carried by the following vote:

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

**E. 20-383 Consideration, discussion and possible approval of and authorization to execute a Professional Consultant Agreement with GH2 Architects, LLC for the Broken Arrow Gateways Master Plan (Project No. 201702)**

Mr. Charlie Bright noted this Item was to approve a Professional Consultant Agreement to develop a Gateway Master Plan. He explained City Staff was approaching this with no preconceived ideas and GH2 would develop and present three options; within each option there would be various tiers of location ideas for gateways. He noted the tiered locations would be based on traffic counts. He reported the three options would be brought before City Council for consideration and feedback, as well as City Staff, following which the Master Plan would be revised into a single Masterplan.

Council Member Gillespie stated she was excited about this project. She indicated this project was very important for the City of Broken Arrow and she hoped GH2 understood this. She stated this was about branding the City and she hoped to see a spectacular Masterplan which would set the City of Broken Arrow apart from other municipalities. She stated she looked forward to seeing the options GH2 presented.

Mr. Bright noted GH2 was excited about this project as well. He indicated GH2 had exceptional landscape architects on staff and he believed GH2 would do an excellent job developing a potential Masterplan.

Vice Mayor Eudey echoed Council Member Gillespie's excitement.

Mayor Thurmond agreed.

MOTION: A motion was made by Johnnie Parks, seconded by Christi Gillespie.

**Move to approve and authorize execution of a Professional Consultant Agreement with GH2 Architects, LLC for the Broken Arrow Gateways Master Plan**

The motion carried by the following vote:

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

**10. Preview Ordinances**

There were no Preview Ordinances.

**11. Ordinances**

**A. 20-345 Consideration, discussion, and possible adoption of Ordinance No. 3621, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-2013, granting a CG zoning classification be placed upon the tract, generally located west of the southwest corner of Kenosha Street (71st Street) and 51st Street (Evans Road/225th E. Avenue), repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency**

Community Development Director Larry Curtis reported Item A through Item H were rezoning cases which had gone through the necessary processes, met all necessary requirements, were previewed previously, and were ready to move forward into Ordinance.

Vice Mayor Eudey asked if each Ordinance had an emergency clause. Mr. Curtis responded

**Aye: 5 -** The motion carried by the following vote:  
Christi Gillespie, Debra Wimpee, Johnnie Parks, Scott Eudey, Craig Thurmond

- B. 20-346** Consideration, discussion, and possible adoption of Ordinance No. 3622, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-2014, generally located north and east of the northeast corner of Albany Street (61st Street) and Evans Road (225th E. Avenue) granting a RS-2 zoning classification to be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- C. 20-347** Consideration, discussion, and possible adoption of Ordinance No. 3623, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-2015, generally located west of the southwest corner of Aspen Avenue (145th E. Avenue) and Omaha Street (51st Street), granting a CG zoning classification be placed upon the tract along with PUD-283, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- D. 20-348** Consideration, discussion, and possible adoption of Ordinance No. 3624, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-2016, generally located one-quarter mile north of New Orleans Street, one-quarter mile west of Evans Road, granting a IL zoning classification be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- E. 20-352** Consideration, discussion, and possible adoption of Ordinance No. 3625, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-2017, generally located north of Houston Street (81st Street), one-half mile east of Garnett Road (113th E. Avenue), granting an ON zoning classification be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- F. 20-353** Consideration, discussion, and possible adoption of Ordinance No. 3626, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-2019, generally located one-eighth mile north of Houston Street (81st Street), one-half mile east of Elm Place (161st E. Avenue) on the northeast corner of Ash Avenue and Galveston Street, granting an DM/DROD Area 6 zoning classification be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- G. 20-358** Consideration, discussion, and possible adoption of Ordinance No. 3627, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving a portion of BAZ-1970 along with BAZ-2020, generally located one-quarter mile east of Aspen Avenue (145th E. Avenue), north of Tucson Street (121st Street), granting CH and IL zoning classifications be placed upon the tract along with PUD-284, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- H. 20-360** Consideration, discussion, and possible adoption of Ordinance No. 3628, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving PUD-275, generally located north of the northeast corner of Aspen Avenue (145th E. Avenue) and Albany Street (61st Street), south of the Broken Arrow Expressway, granting PUD-275 zoning classification be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- I. 20-398** Consideration, discussion and possible adoption of Corrected Ordinance No. 3605, an ordinance correcting Ordinance No. 3605 closing a portion of Right-of-Way on property located one-quarter mile north of Washington Street (91st Street), one-quarter mile west of 225th East Avenue (Evans Road), Wagoner County, State of Oklahoma, (Section 18, T18N, R15E) (Creek 51 Business Park) (North); repealing all ordinances to the



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

**Move to adopt Corrected Ordinance No. 3605**

The motion carried by the following vote:

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

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

**Move for the emergency clause**

The motion carried by the following vote:

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

- J. 20-399 **Consideration, discussion and possible adoption of Corrected Ordinance No. 3606, an ordinance correcting Ordinance No. 3606 closing a portion of Right-of-Way on property located one-quarter mile north of Washington Street (91st Street), one-quarter mile west of 225th East Avenue (Evans Road), Wagoner County, State of Oklahoma, (Section 18, T18N, R15E) (Creek 51 Business Park) (North); repealing all ordinances to the contrary; and declaring an emergency**

MOTION: A motion was made by Christi Gillespie, seconded by Debra Wimpee.

**Move to adopt Corrected Ordinance No. 3606**

The motion carried by the following vote:

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

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

**Move for the emergency clause**

The motion carried by the following vote:

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

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

Vice Mayor Eudey thanked the IT Staff for making this video teleconference meeting possible; however, he noted he much preferred meeting in person.

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

City Manager Spurgeon reported there were two promotions in the Street Department: John Terry (ph) was promoted to Stormwater Division Supervisor and John Brown (ph) was promoted to Stormwater Crew Chief.

City Manager Spurgeon reported at the beginning of April he created a pandemic work group consisting of individuals from the City Manager's Office and several other key departments who were meeting weekly regarding the pandemic situation attempting to remain informed. He noted the Emergency Management Director Jamie Ott was highly involved and acted as the primary liaison between the City of Broken Arrow and the Tulsa County Health Department. He noted this pandemic work group released videos and other posts on social media to keep the Community informed regarding the pandemic and Broken Arrow. He explained City operations had altered to accommodate necessary closures and despite these changes City Staff was working hard to maintain social distancing and hygiene requirements while still providing necessary services to the Community. He noted certain City public projects were moving forward, parks were being maintained, police and fire were fully operational, and the City was working to provide its Citizens with the best service possible within pandemic limitations. He noted the City had approximately 85 individuals who were working remotely. He reported the Department Directors had modified each Department's work schedule to accommodate social distancing, for example the Utility and Street and Stormwater Departments shifted hours around and moved to single individuals in a truck to promote social distancing. He noted there were certain situations in which this was not possible, such as with the Sanitation Department, but these adjustments were being made wherever possible.

City Manager Spurgeon thanked the IT Department who went above and beyond expectations during this pandemic.

City Manager Spurgeon reported, regarding the Budget, the City still had approximately two and a half months left in the FY-2020 Budget; therefore, the FY-2020 Budget could be affected by this pandemic as well as the FY-2021 Budget. He noted this was concerning, especially understanding the Budget was based upon projected sales tax and other revenue collections. He explained how this pandemic affected the sales tax projections would be better understood once the revenues from March were received. He stated he believed conservative measures for the remainder of FY-2019 would be needed and he was working to put these into place. He stated he would keep the City Council updated regarding conservative budget measures being put into place. He noted he would further discuss the budget matter with the City Council in May and a budget work session would be scheduled.

#### 14. Executive Session

There was no Executive Session.

#### 15. Adjournment


The meeting adjourned at approximately 7:37 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