



## City of Broken Arrow

### Minutes

#### City Council Meeting

**Mayor Debra Wimpee**  
**Vice Mayor Johnnie Parks**  
**Council Member Lisa Ford**  
**Council Member Justin Green**  
**Council Member David Pickel**

City Hall  
220 S. 1st Street  
Broken Arrow Ok  
74012

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**Tuesday, January 20, 2026**

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

**Council Chambers**

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#### 1. Call to Order

Mayor Debra Wimpee called the meeting to order at 6:30 p.m.

#### 2. Invocation

Pastor Scott Moore led the Invocation.

#### 3. Roll Call

**Present:** 4 - Justin Green, Lisa Ford, Johnnie Parks , Debra Wimpee  
**Absent:** 1 - David Pickel

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

The Pledge was led by Council Member Lisa Ford.

#### 5. Consideration of Consent Agenda

- A. 26-2 Approval of the City Council Minutes of January 06, 2026
- B. 26-175 Acceptance of Planning Commission meeting minutes of November 20, 2025
- C. 26-176 Acceptance of Planning Commission meeting minutes of December 4, 2025
- D. 26-177 Acceptance of Planning Commission meeting minutes of December 18, 2025
- E. 26-124 Approval of and authorization to execute a Professional Consultant Agreement with CEC Corporation for an evaluation of the Tiger Hill Retaining Wall (SW26060)
- F. 26-112 Approval of and authorization to execute the Agreement between the Indian Nations Council of Governments (INCOG) and the City of Broken Arrow for Congestion Mitigation and Air Quality (CMAQ) Program funds for Federal Fiscal Year 2026 (FFY2026) for Installing Wayfinding Signage on the Liberty Trail
- G. 26-99 Approval of and authorization to execute a Master Consulting Agreement between the City of Broken Arrow and Industrial Organizational Solutions to provide Promotional Examinations for the Fire Department
- H. 26-75 Notification of City Manager's and Assistant City Manager's execution of Professional Consultant Agreements and Amendments to an Agreement, as well as public Construction Contracts not subject to the Competitive Bid Act, with a Contract value of \$50,000 or less
- I. 26-136 Approval of and authorization to declare certain City-owned vehicles and equipment as surplus and authorize the sale of those items at an online public auction
- J. 26-144 Approval of and authorization to execute the purchase of Dell Servers through Dell and Storage solution with PURE Storage through Software House International
- K. 26-146 Ratification of the additional purchase of structural firefighting coats, pants, and boots from NAFECO pursuant to SourceWell Contract 010424 LIO for the January 2026 class of fire cadets
- L. 26-96 Approval of and authorization to award the most advantageous bid to L&M Office Furniture, and approve and authorize the purchasing of Furniture for the Public Safety Complex (Project 2630200)
- M. 26-138 Approval of and authorization to award to the lowest responsible bidder, Davis H. Elliot Construction Company, Inc., a construction contract for the Arrow Forge Lighting Project (TS26010)
- N. 26-147 Approval of and authorization to execute Resolution No. 1733, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 11.0 consisting of 13,693 square feet of permanent right of way and Acceptance of a Utility Easement for Parcel 11.A consisting of 162 square feet of Temporary Construction Easement located at 9800 South Lynn Lane Road in Broken Arrow, Oklahoma, in the Southeast Quarter of Section 23,

**Township 18 North, Range 14 East, Tulsa County, Oklahoma, from Jared A. Lovelle and Amy J. Lovelle, the owners, for the 9th Street widening from New Orleans Street to Washington Street, Parcels 11.0 and 11.A (Project No. ST23280)**

O. 26-174 Acceptance of a North Drainage Easement from Whiskey Ridge, LLC, on property located one-half mile south of Rockford Street (31st Street) and one-eighth mile east of 23rd Street (County Line Road/193rd East Avenue), Wagoner County, State of Oklahoma, (Section 19, T19N, R15E) (EASE 002533 2025)

P. 26-179 Acceptance of a South Drainage Easement from Whiskey Ridge, LLC, on property located one-half mile south of Rockford Street (31st Street) and one-eighth mile east of 23rd Street (County Line Road/193rd East Avenue), Wagoner County, State of Oklahoma, (Section 19, T19N, R15E) (EASE 002535 2025)

Q. 26-178 Acceptance of a Sanitary Sewer Drainage Easement from Whiskey Ridge, LLC, on property located one-half mile south of Rockford Street (31st Street) and one-eighth mile east of 23rd Street (County Line Road/193rd East Avenue), Wagoner County, State of Oklahoma, (Section 19, T19N, R15E) (EASE 002534 2025)

R. 26-149 Acceptance of a Temporary Construction Easement for Parcel 5.A consisting of 0.02 acres for a temporary easement located at 10132 South 177th East Avenue in Broken Arrow, Oklahoma, in the Northeast Quarter of Section 26, Township 18 North, Range 14 East, Tulsa County, Oklahoma, from Rose Graham Properties, LLC, an Oklahoma limited liability company, the owner, for the 9th Street widening from New Orleans Street to Washington Street, Parcel 5.A (Project No. ST23280)

S. 26-148 Acceptance of Utility Easements for Parcels 4.0, 4.1, 4.2, and 4.3 and Temporary Construction Easements for Parcels 4.A, 4.B, 4.C, 4.D, and 4.E from QRG, LLC, an Oklahoma limited liability company, on vacant property generally located west of the intersection of South Lions Avenue and South Juniper Place in Broken Arrow, Oklahoma, located in the Southeast Quarter of Section 3, Township 17 North, Range 14 East, Tulsa County, State of Oklahoma for the Elm Creek Trunk Line Replacement, Parcels 4.0, 4.1, 4.2, 4.3, 4.A, 4.B, 4.C, 4.D, and 4.E (Project No. S.1606)

T. 26-169 Ratification of the Claims List Check Register Dated January 12, 2026

MOTION: A motion was made by Lisa Ford, seconded by Justin Green  
**Move to Approve Consent Agenda Lisa Ford, seconded by Justin Green**  
 The motion carried by the following vote:

Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks , Debra Wimpee

## 6. Consideration of Items Removed from Consent Agenda - NONE

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

### A. 26-167 Presentation and discussion of the Crisis Response and Care Link Program Update

Major Stephen Garrett, Broken Arrow PD, provided an update on the Broken Arrow Police Department's Crisis Response Team, explaining that it was created alongside a separate Fire Department program after recognizing that police and fire were serving different populations with limited overlap. The police team focuses on crisis mitigation involving mental health, homelessness, substance abuse, veterans' services, and emergency protective custody, pairing an officer with a care coordinator to address immediate crises and provide ongoing follow-up and service navigation. In 2025, the team responded to nearly 1,200 calls, avoided jail or hospital transport hundreds of times, and conducted extensive follow-up care, demonstrating a shift away from arrest-or-hospital outcomes toward long-term support. Garrett highlights partnerships with mental health providers, expanded weekday coverage, and several success stories showing dramatic reductions in repeat calls and crises, underscoring the program's positive impact on individual lives and overall community well-being.

Assistant Fire Chief Mark Steward outlines the Fire Department's Care Link Navigation Program, developed in partnership with Family and Children's Services and funded through the Opioid Abatement Settlement Fund. Since mid-2024, the program has embedded social work professionals alongside firefighters to identify unmet medical, mental health, and social needs, conduct home visits through trusted "warm handoffs," and provide ongoing case management. In the past year, the program has served hundreds of clients through thousands of contacts, with most referrals originating from frontline firefighters. Steward emphasizes that success is measured by improved quality of life rather than reduced call volume, sharing examples where long-term interventions stabilized vulnerable residents, including veterans and long-time high utilizers of emergency services. He notes that the program is financially sustainable, well-supported, and producing meaningful outcomes for the community.

The discussion concludes with council members and staff reflecting on the uniqueness and success of Broken Arrow's crisis response and care navigation programs, particularly the innovative use of opioid settlement funds to support the community. While noting that similar programs exist elsewhere, speakers emphasize the strong results achieved locally and express appreciation for the leadership, staff, and partners involved. Council member Green commend the teams for reducing unnecessary arrests and hospitalizations, improving outcomes for

residents in crisis, and making a meaningful, widely recognized impact on the community.

**B. 26-83 Update on the 2026 General Obligation Bond Package**

City Manager Michael Spurgeon updates the council that, following action taken on January 6, the city has entered the public education phase for the General Obligation Bond Package that voters will consider on April 7. Staff is finalizing public information materials for distribution in February and March, scheduling outreach meetings with HOAs, civic groups, and community organizations, and coordinating council participation in those meetings. Plans also include council and director briefings to ensure consistent messaging, new communication tools such as a public hotline for bond questions, and expanded outreach methods, with full public engagement ramping up by mid-February through the end of March.

**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)**

Sean Parrish, a resident of Broken Arrow, raises concerns about prolonged green-waste burning by a nearby developer, stating it has caused smoke intrusion into homes, asthma attacks, and allergic reactions among neighbors, particularly affecting elderly residents. While acknowledging that the activity is currently permitted and that proper channels, such as contacting the fire marshal, have been followed, he urges the council to reconsider the policy given the city's growth and increasing proximity of new developments to established neighborhoods. He suggests requiring contractors to haul green waste to disposal facilities instead of burning it on site.

Council members acknowledge that prolonged green-waste burning has affected multiple neighborhoods, with residents experiencing persistent smoke and related health concerns, and agree it is an issue worth revisiting. They discuss the possibility of exploring alternatives such as mulching or other disposal methods, and staff indicate they can work with engineering and community development to evaluate feasible options and regulatory changes. There is a consensus that increased oversight or ordinance updates may be needed as growth continues to encroach on established neighborhoods.

**9. General Council Business**

**A. 26-157 Consideration, discussion, and possible approval of Resolution No. 1734, a Resolution supporting the approval of FEMA Hazard Mitigation Grant Funding for Disaster #4575 Project 13 Tulsa County 101st & Garnett Infrastructure Protection**

City Manager Michael Spurgeon presented Item 26-157, a request for the City Council to adopt a resolution supporting Tulsa County's application for a FEMA Hazard Mitigation Grant to fund a road-widening and elevation project on Garnett Road from 91st to 101st. The project would raise the roadway by 5 feet to reduce future flooding, benefit the Broken Arrow-Tulsa-Bixby area, and impose no financial obligation on the city of Broken Arrow. Tulsa County has completed all FEMA requirements and is awaiting Phase 2 approval of more than \$8 million in reimbursable federal funding, with prior support from the area's congressional delegation. The proposed resolution authorizes the mayor to urge the Secretary of Homeland Security to approve the formal request promptly. It reflects the city's interest in regional flood mitigation and transportation safety.

**MOTION:** A motion was made by Justin Green, seconded by Johnnie Parks  
**Move to Approve Item 26-157 Resolution No. 1734, a Resolution supporting the approval of FEMA Hazard Mitigation Grant Funding for Disaster #4575 - Project 13 - Tulsa County 101st & Garnett Infrastructure Protection**

The motion carried by the following vote:

Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks , Debra Wimpee

**B. 26-106 Consideration, discussion, and possible approval of PT 001984-2025|PR-000157-2023, Conditional Final Plat, Spring Creek Crossing, approximately 36.99 acres, 132 Lots, RS-4 (Single Family Residential)/PUD-001360-2024 (Planned Unit Development), located north of Tucson Street (121st Street) and approximately one quarter mile west of 9th Street (Lynn Lane Road/177th Avenue)**

Jane Wyrick, Planning & Development Manager, presented Item 26-106, a request for approval of the Spring Creek Crossing conditional final plat, a 36.99-acre residential development with 132 lots and stormwater and amenity reserve areas, located north of Tucson Street and west of Lynn Lane. The property is zoned RS-4 and PUD, has no floodplain impacts, and is served by city water and sewer. After unanimous recommendations for approval from the Technical Advisory Committee and Planning Commission, the City Council previously tabled the item to allow the developer to address concerns raised by nearby residents regarding erosion control, stormwater runoff, and construction practices. Following meetings with adjacent property

owners and revisions to address those issues, staff now recommends approval, noting that the conditional final plat includes full engineering details for drainage, grading, streets, and infrastructure, and that the developer has indicated an intent to incorporate masonry elements consistent with prior discussions.

Kyle Richardson, the developer, explains prior discussions about exterior masonry, noting concerns that promised brick finishes are sometimes reduced after construction, and states that while full brick is preferred, final decisions depend on construction costs and appraisal feasibility to avoid pricing gaps for buyers. At a minimum, the developer commits to front-facing brick on interior lots and four-sided brick on street-facing homes, though the PUD does not require these standards. He also confirms coordination with staff to install the nearby traffic signal during the summer, when school is out. He reports that stormwater issues have been significantly improved, citing engineering design that reduces runoff to neighboring properties, functioning retention ponds, early sod installation to prevent erosion, and firsthand observations during heavy rainfall showing improved conditions compared to the past.

Jason Langley at 6300 South 5th Street in Broken Arrow, a neighboring property owner, argues that stormwater issues affecting the South Fork area have not been resolved despite the developer's recent sodding and cleanup efforts, stating that field conditions show continued erosion, excessive runoff velocity, and sediment transport following multiple rainfall events. He contends the problem is not temporary construction runoff but a permanent hydraulic and detention design failure, with stormwater now reaching downstream properties at greater volume and force than before development. He warns that approving the conditional final plat would allow construction to proceed even though the system is already failing. He requests the plat remain on hold until a fully engineered drainage solution—previously authorized for design funding—is finalized and installed before homes are built.

Dustin Fletcher, a neighboring resident, presents video evidence and personal testimony asserting that stormwater impacts from the Spring Creek Crossing development remain unresolved and are causing ongoing damage to his property, including flooding, structural cracking, and erosion that did not exist prior to land clearing. He states that, despite prior assurances, neither the developer nor its engineers followed up meaningfully with him, and that while corrective work has been done on adjacent properties, his concerns have been dismissed. He asks the council to recognize that conditions have worsened due to increased elevation and runoff from the development, and to require remediation to restore his property to its pre-construction condition before allowing the project to proceed.

Megan Pasco with Tanner Consulting states that construction at Spring Creek Crossing is nearly complete and that the drainage system has been fully designed, reviewed, and approved by the City of Broken Arrow engineering staff, and built accordingly. She explains that stormwater has historically flowed east toward South Fork and that the approved design reduces peak discharge in that direction by roughly 40 percent compared to pre-development conditions. The team has worked with neighboring property owners to address concerns, preserve trees, clean sediment, expand buffer areas beyond PUD requirements, and coordinate ongoing site cleanup. She asserts that all conditions set by the council when the item was previously tabled have been met, that observed runoff during rainfall is consistent with existing drainage patterns, and that the system is functioning as intended under city standards.

The discussion centers on whether to approve the Spring Creek Crossing conditional final plat amid ongoing disputes about downstream stormwater impacts affecting South Fork residents. City engineering staff and the developer assert that the project complies with all local, state, and federal drainage standards, reduces peak flows compared to pre-development conditions, and satisfies every requirement for plat approval, emphasizing that the remaining flooding issues stem from a historical drainage failure dating back to the original South Fork development in 1993. City staff describe a proposed, grant-funded drainage improvement that would further alleviate downstream impacts but stress it is voluntary, above and beyond compliance, and cannot proceed without all parties—including attorneys—meeting and agreeing, particularly given an active lawsuit. Affected residents counter that flooding and property damage persist and urge action before additional homes are built. Ultimately, council members acknowledge the emotional and real impacts on residents but conclude that the plat meets approval criteria, expressing hope and expectation that the parties will meet within the next 30 days to resolve the drainage issue collaboratively, with staff continuing to facilitate discussions and report back.

**MOTION:** A motion was made by Johnnie Parks, seconded by Justin Green  
**Move to Approve Item 26-106 PT-001984-2025|PR-000157-2023, Conditional Final Plat, Spring Creek Crossing, approximately 36.99 acres, 132 Lots, RS-4 (Single Family Residential)/PUD-001360-2024 (Planned Unit Development), located north of Tucson Street (121st Street) and approximately one quarter mile west of 9th Street (Lynn Lane Road/177th Avenue)**

The motion carried by the following vote:

**Aye: 4 -** Justin Green, Lisa Ford, Johnnie Parks , Debra Wimpee

C. 26-143 Consideration, discussion, and possible approval of COMP-002532-2025, (Comprehensive Plan Change), Oneta71, LLC, 8.8 acres from Level 1 (Rural Residential/Greenway/Floodplain) to Level 4 (Commercial/Employment Nodes) located approximately one tenth mile north of the northwest corner of E. Kenosha Street (71st Street) and Oneta Road (241st E. Avenue)

Jane Wyrick, Planning & Development Manager, presented item 26-14, a request to amend the Comprehensive Plan designation for about 8.8 acres near Kenosha (71st Street) and Oneta (241st E Ave) from Level 1 rural residential/greenway/floodplain to Level 4 commercial and employment nodes, with the owner controlling roughly 16.9 acres total, including adjacent parcels. The floodplain on the west side would remain undeveloped, and a separate zoning request from agricultural to general commercial is anticipated. Surrounding properties are largely agricultural or residential estate uses, with a nearby power substation to the west. At the Planning Commission, neighbors raised concerns about traffic, pedestrian safety, noise and lighting, property values, litter, and commercial competition. At the same time, the applicant stated that the project would meet city standards, include sidewalks, and be supported by a traffic analysis. Planning Commission voted 5–0 to recommend approval, and staff supports the change based on plan policy, location, and surrounding land uses, subject to platting.

Council discussion clarified that this request is only to change the Comprehensive Plan designation, not to approve zoning, site layout, or access points yet. The mayor noted confusion about ownership but now understands the applicant also owns the already-commercial corner parcel to the south, which makes the request more cohesive rather than an isolated commercial spot. A conceptual plan shows shared access with the existing corner gas station and multiple drive points, including on Oneta, which raised concern because Oneta is a two-lane road with limited capacity. Staff indicated their preference would be right-in/right-out only on Kenosha, with left turns handled via the signal at Oneta, and emphasized that final driveway locations, turn movements, and any required improvements would be addressed later through engineering review. A traffic impact study has been completed, and staff summarized its conclusion that no significant traffic impacts are anticipated. However, councilmembers asked to review or receive a summary of the study. It was also confirmed that the northwest portion of the site is a floodplain and not proposed for development. Overall, the council recognized that tonight's action is a policy-level land-use change from Level 1 to Level 4, with detailed traffic and access decisions to be made at later stages.

Natalie Cornett, with Eller and Dietrich, representing the applicant, explained that the request is only for a Comprehensive Plan amendment, with the rezoning already recommended for approval by the Planning Commission and scheduled to come before the council next. The conceptual project is a roughly 42,000-square-foot grocery store with a fuel station and convenience store, but the site plan shown is preliminary and not final. She emphasized that the applicant will work with city staff and engineering during zoning and platting to determine proper access, traffic circulation, and safety at the signalized intersection. She also noted that the property has undergone several prior comp plan and zoning proposals over the years that were never completed through platting, including past consideration of more intense industrial uses. She said the current commercial proposal would be a lower-intensity use than those earlier concepts.

Colton Jay, who lives directly across from the proposed site, spoke in opposition and said the Planning Commission vote had been closer than reported. He explained that many nearby residents felt they did not receive adequate notice and that the project description had shifted from what they initially understood. He argued the property already has a sizable amount of commercially zoned land and compared lot sizes of other Broken Arrow grocery stores, suggesting the site is larger than typically needed for a standard grocer and more comparable to big-box developments. He raised concerns about traffic, especially on Oneta Road, describing it as a narrow, county-style road not suited for increased volume or delivery trucks operating near homes. He also cited existing light pollution from a distant store as evidence that a larger commercial development would significantly affect nearby residences. He noted past flooding on Oneta Road as another reason he believes the area's infrastructure cannot support the proposed project.

Mayor Wimpee clarified that the item before them is only a Comprehensive Plan amendment and that specific site design, access, traffic, lighting, and buffering concerns would be addressed in later zoning and platting stages, emphasizing that approval of the plan change does not lock in the conceptual layout shown. Vice Mayor Parks noted that major intersections in Broken Arrow are typically designated for commercial use as part of the city's support for services. At the same time, the resident reiterated that the additional tract being added was previously a home, not just vacant commercial land. Staff confirmed that the Planning Commission vote on the plan change was 3–2, correcting the report, and acknowledged some wording errors in the staff recommendation, clarifying that the request is to amend the Comprehensive Plan from Level 1 to Level 4, with zoning to follow separately.

MOTION: A motion was made by Johnnie Parks, seconded by Justin Green  
**Move to Approve Item 26-143 COMP-002532-2025, (Comprehensive Plan Change), Oneta71, LLC, 8.8 acres from Level 1 (Rural Residential/Greenway/Floodplain) to Level 4 (Commercial/Employment Nodes) located approximately one tenth mile north of the northwest corner of E. Kenosha Street (71st Street) and Oneta Road (241st E. Avenue)**  
The motion carried by the following vote:

**Aye: 3 -**  
**Nay: 1 -**  
Justin Green, Johnnie Parks , Debra Wimpee  
Lisa Ford

**D. 26-156 Consideration, discussion, and possible approval of the reappointment of Kamara Washington to the City of Broken Arrow Board of Adjustment for a three-year term to expire May 1, 2029**

Jane Wyrick, Planning & Development Manager, presented Item 26-156, consideration, discussion, and possible approval of the reappointment of Kamara Washington to the City of Broken Arrow Board of Adjustment for a three-year term.

MOTION: A motion was made by Lisa Ford, seconded by Johnnie Parks  
**Move to Approve Item 26-156, the reappointment of Kamara Washington to the City of Broken Arrow Board of Adjustment for a three-year term to expire May 1, 2029**

The motion carried by the following vote:  
**Aye: 4 -**  
Justin Green, Lisa Ford, Johnnie Parks , Debra Wimpee

**E. 26-139 Consideration, discussion, and possible approval of and authorization to award to the lowest responsible bidder, Diversified Civil Contractors, LLC, a construction contract for Aspen Avenue and Tucson Street Intersection Improvements (Project No. ST2031 Phase 4)**

Charlie Bright, Director of Engineering and Construction, presented Item 26-139, a bid award for improvements at the Tucson (121st Street) and Aspen intersection, calling it a key priority tied to broader efforts to extend Aspen toward Indian Springs. He explained the city accelerated this intersection project, separating it from other road work, to get construction underway ahead of nearby commercial development such as Home Depot. Following the state bidding process, Diversified Civil Contractors was identified as the lowest responsible bidder at about \$517,500, and staff recommended awarding the contract to them.

MOTION: A motion was made by Lisa Ford, seconded by Johnnie Parks  
**Move to Approve Item 26-139 authorization to award to the lowest responsible bidder, Diversified Civil Contractors, LLC, a construction contract for Aspen Avenue and Tucson Street Intersection Improvements (Project No. ST2031 Phase 4)**

The motion carried by the following vote:  
**Aye: 4 -**  
Justin Green, Lisa Ford, Johnnie Parks , Debra Wimpee

**F. 26-140 Consideration, discussion, and possible action for approval of and authorization to award to the lowest responsible bidder, D Kerns Construction, Inc, a construction contract for the Melinda Park Pavement Rehabilitation Project (ST22270)**

Charlie Bright, Director of Engineering and Construction, presented Item 26-140, another construction contract award, this time for the Melinda Park residential rehabilitation project near 61st and Garnett, one of the city's older neighborhoods. He explained that utilities in the area were replaced over the past year, a process that intentionally disrupted and damaged the streets. Now that underground work is complete, the city is moving forward with full pavement reconstruction. After the state bidding process, D. Kearns Construction was the apparent low bidder at about \$2.66 million, and staff recommended awarding the contract to proceed with the street improvements.

MOTION: A motion was made by Lisa Ford, seconded by Johnnie Parks  
**Move to Approve Item 26-140 authorization to award to the lowest responsible bidder, D Kerns Construction, Inc, a construction contract for the Melinda Park Pavement Rehabilitation Project (ST22270)**

The motion carried by the following vote:  
**Aye: 4 -**  
Justin Green, Lisa Ford, Johnnie Parks , Debra Wimpee

**G. 26-141 Consideration, discussion, and possible approval of and authorization to award the lowest responsible bid to Scissortail Construction, and execution of construction contract for the Grain Silo Improvements Project (Project No. 2417300)**

Charlie Bright, Director of Engineering and Construction, presented Item 26-141, a report on plans to improve the city-owned grain silo that the Council purchased in April 2024. At the City Manager's direction, staff developed a project to repaint the structure, replace the old company logo with updated branding, and complete some related electrical work to enhance its appearance. The project was first bid last summer but received no responses, so staff revised

the plans and actively reached out to contractors before rebidding. This time, three bids were received, and the lowest responsible bidder was the local firm Scissortail Construction at \$169,938, with staff recommending awarding the contract to move forward with the upgrades.

MOTION: A motion was made by Lisa Ford, seconded by Johnnie Parks

**Move to Approve Item 26-141, authorization to award the lowest responsible bid to Scissortail Construction, and execution of construction contract for the Grain Silo Improvements Project (Project No. 2417300)**

The motion carried by the following vote:

**Aye: 3 -**

**Abstain: 1 -**

Lisa Ford, Johnnie Parks , Debra Wimpee

Justin Green

**H. 26-190**

**Consideration, discussion, and possible approval of a Noise Ordinance waiver for Cowan Construction to work before 0700 on two different dates at the Aspen Ridge Apartment Complex**

Charlie Bright, Director of Engineering and Construction, presented Item 26-190, the city is considering a request from an apartment complex contractor for a variance to the noise ordinance to allow after-hours work on two days for large concrete pours. Because each pour requires about 16 hours to prep, place, and finish roughly 16,000 square feet of concrete, the work cannot be completed within regular permitted construction hours. Under the ordinance, any exception must be approved by the governing body. Staff is not recommending the request as proposed initially—early morning work—due to prior noise complaints from nearby residents, and instead suggests that, if an exception is granted, it would be less disruptive to allow work to extend later into the evening rather than start earlier in the morning, leaving flexibility for staff to designate the specific days depending on weather and scheduling.

Council discussion focused on balancing construction needs with neighborhood quality of life. Councilors noted residents had previously complained about early-morning noise and appreciated the city stepping in, emphasizing that protecting sleep—especially from very early starts like 3:00–4:00 a.m.—should be a priority. Other Councilors shared ongoing complaints from another project that had been granted extended noise hours, reinforcing their reluctance to approve additional early-morning exceptions. While there was openness to offering the contractor some accommodation, the preference was to allow work to extend later into the evening rather than begin earlier in the morning. A motion to deny the request as proposed initially was raised, then shifted toward a compromise: permitting only two nights of extended hours, with debate over how late, given the standard cutoff is 10:00 p.m. and the contractor's request to work as late as 2:00 a.m. raised concern about whether that would meaningfully reduce neighborhood impact.

The contractor acknowledged concerns about very early work and proposed a compromise to minimize neighborhood disruption while still completing the large concrete pours. Instead of starting around 3:00 a.m. and working into the early morning, he suggested beginning at 5:00 a.m. and working until about 11:00 p.m. on two specific days, explaining that later-morning concrete deliveries often cause significant delays that can jeopardize the pour and lead to substantial financial losses if not completed continuously. He emphasized efforts to reduce impact by staging work on the west side of the site, avoiding directing lights toward nearby homes, and being mindful of neighbors during the 16-month construction period. Council members responded more favorably to this adjusted schedule, with staff indicating it aligned with their preference to extend evening hours rather than allow very early starts, and discussion included ensuring nearby residents receive advance notice. Hence, they know what to expect on those two days.

MOTION: A motion was made by Lisa Ford, seconded by Johnnie Parks

**Move to Approve Item 26-190, an amended Noise Ordinance waiver for Cowan Construction to work from 5:00 a.m. to 11:00 p.m. on two different dates at the Aspen Ridge Apartment Complex**

The motion carried by the following vote:

**Aye: 4 -**

Justin Green, Lisa Ford, Johnnie Parks , Debra Wimpee

**10. Preview Ordinances - NONE**

**11. Ordinances - NONE**

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

Council members expressed appreciation to city staff and public safety personnel for their work supporting the previous Monday's meeting, noting the extensive behind-the-scenes coordination to ensure safety, logistics, and resident needs were handled smoothly. They described the event as well-run and professional, acknowledging the long hours staff put in and their willingness to step up when needed, with one minor suggestion: that staff read speakers' names aloud in the future. Overall, the tone was one of gratitude and confidence in the staff's

readiness to handle future situations as well.

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

City Manager Michael Spurgeon reflected on the development of the city's crisis response program since 2024, thanking police, fire, and leadership staff for embracing the model in a way that strengthens—rather than replaces—traditional public safety roles, and noting measurable progress, including adding a full-time position and securing funding support with legal's help. He said staff will explore options with community development and fire officials regarding concerns about open burning, including possible ordinance changes, while weighing safety and cost differences with other disposal methods. Addressing the Spring Creek drainage issue, he assured the council that staff will continue working with all parties to facilitate a meeting and pursue a solution, acknowledging the emotional nature of the situation but emphasizing cooperation. He also noted ongoing monitoring of potential weather impacts. He said the city will respond as needed.

At 8:37 p.m., Mayor Wimpee noted there was an Executive Session and called for a recess for BAMA and BAEDA.

**MOTION:** A motion was made by Justin Green, seconded by Lisa Ford

**Move for a recess for BAMA and BAEDA**

The motion carried by the following vote:

Justin Green, Lisa Ford, Johnnie Parks , Debra Wimpee

At 9:01 p.m., the room was cleared for Executive Session.

**MOTION:** A motion was made by Justin Green, seconded by Lisa Ford

**Move to enter Executive Session**

The motion carried by the following vote:

Justin Green, Lisa Ford, Johnnie Parks , Debra Wimpee

### **14. 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 conferring on matters and possible action in open session pertaining to:**

**1. Litigation, including potential resolution and settlement, of matters involving the worker's compensation claim of Kirby Walker, WCC #CM3 2025 02498E, including possible authorization to settle this claim, under 25 O.S. §307(B)(4).**

**2. The City's potential claims and litigation or civil actions involving Ellis Concrete and Construction, LLC and RLI Insurance related to Project ST 23300 Concrete Panel Replacement Street Repair Brentwood, Broken Arrow, OK; Project ST23310 Concrete Panel Replacement Street Repair Meadow Heights, Broken Arrow, OK, and Bond Numbers RCB0054216 and RCB0058697 issued by Surety RLI Insurance Company, under 25 O.S. §307(B)(4).**

**MOTION:** A motion was made by Johnnie Parks, seconded by Lisa Ford

**Move to find the Executive Session necessary to process the litigation and potential claims listed for discussion in the Executive Session**

The motion carried by the following vote:

Justin Green, Lisa Ford, Johnnie Parks , Debra Wimpee

**MOTION:** A motion was made by Johnnie Parks, seconded by Justin Green

**Move to authorize the city attorney and outside counsel to negotiate settlement of the worker's compensation claim of Kirby Walker in the amount recommended by outside counsel**

The motion carried by the following vote:

Justin Green, Lisa Ford, Johnnie Parks , Debra Wimpee

**MOTION:** A motion was made by Johnnie Parks, seconded by Justin Green

**Move to authorize the city attorney to negotiate resolution of the potential claims and litigation involving Ellis Concrete and RLI Insurance, as recommended by the city attorney**

The motion carried by the following vote:

Justin Green, Lisa Ford, Johnnie Parks , Debra Wimpee

### **15. Adjournment**

The meeting was adjourned at 9:17 p.m.

**MOTION:** A motion was made by Lisa Ford, seconded by Justine Green

**Move to Adjourn**

The motion carried by the following vote:

**Aye: 4 -**

Justin Green, Lisa Ford, Johnnie Parks , Debra Wimpee

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Mayor

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City Clerk