



City of Broken Arrow
Minutes
Special Joint Session
City Council/BAMA Meeting

City Hall
220 S 1st Street
Broken Arrow OK

74012

Mayor Debra Wimpee
Vice Mayor Christi Gillespie
Council Member Johnnie Parks
Council Member Lisa Ford
Council Member Justin Green

Tuesday, August 13, 2024

Time 5:30 p.m.

Police & Fire Training Center
4205 E Omaha Street
Broken Arrow, OK

1. Call to Order

Mayor Debra Wimpee called the meeting to order at approximately 5:30 p.m.

2. Roll Call

Present for City Council:

5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

Present for BAMA:

5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

4. Pledge of Allegiance to the Flag

Vice Mayor Christi Gillespie led the Pledge of Allegiance to the Flag.

5. General Council Business

A. 24-1071 Consideration and discussion of the newly acquired grain tower in the Rose District Plaza

City Manager Spurgeon thanked City Council for making time for this evening's work session. He stated he felt it would be a good idea to hold a quarterly work session regarding the many wonderful City projects for which Staff needed City Council/BAMA thoughts and direction. He stated after receiving direction from City Council and BAMA, Staff would put together action plans and legislation for City Council consideration. He indicated this was a less formal way to obtain the thoughts of City Council.

Community Development Director Rocky Henkel reported the grain tower in the Rose District Plaza had been a Main Street icon since 1954. He stated currently, the Rose District Plaza was a recognized community gathering place, home to the growing Farmer's Market, and for the last eight years a popular ice-skating rink in the winter and was a public gathering place. He reported the City of Broken Arrow acquired the grain tower in the Rose District Plaza on May 7, 2024, through an online bid process and Staff was looking for direction regarding possible uses. He noted the City was in negotiations with Union Pacific Railroad to acquire and lease approximately 41,000 square feet of additional property surrounding the grain tower.

Council Member Lisa Ford asked if she would be able to look at the inside of the grain tower.

Mr. Henkel responded in the affirmative.

Council Member Ford noted the whole City Council was interested in seeing the interior.

Mayor Wimpee stated the railroad owned part of the land which the grain tower stood on, but the City was working on acquiring this land. She asked if the City was considering paving the parking lot.

City Manager Spurgeon stated that was up to City Council. He indicated City Council directed the City to purchase the grain tower, restore it, and now other opportunities could be considered. He stated the Farmer's Market had reached capacity and there were other events in this area which had reached capacity. He noted the Museum would like to see an expansion of the Museum into the area where the cars parked to the west on this property, but the City would still have land to use. He indicated suggestions included removing the fence on the west and south sides; installing a permanent stage for concerts; building additional pavilions to the west to expand the Farmer's Market; painting the grain tower with the City's logo; and lighting on the grain tower. He stated some of the items would need to be included in the bond package and this was the time to put together the estimates.

Council Member Johnnie Parks stated the grain tower was an icon, and he was excited the City was able to acquire it. He agreed the History Museum looked to expand through the parking lot to double in size. He stated he felt the grain tower should continue to be the icon which it was, it could be painted with the City of Broken Arrow logo, but he did not believe it should be used for commercial use. He stated he did not believe any of the land should be used for parking; it was good as a Farmer's Market and a good meeting area, and to use it for parking would be wasting the space. He stated there were some areas which might need to be filled in surrounding the grain tower to make sure there was no standing water around the grain tower. He stated he felt the grain tower area should remain an icon for Broken Arrow and should be used as a centerpiece for the City. He said he was pleased the City now owned the grain tower.

City Manager Spurgeon stated Mr. Schwab suggested obtaining an architect to do some visioning once City Council provided direction. He stated he agreed the City had enough parking and did not feel this should be used for parking, other than for the Museum. He noted there had been discussion about speaking with the owner of the building on the south side of the railroad tracks about incorporating the building into any future development of the area.

Assistant City Manager of Operations Kenny Schwab displayed and discussed a map showing what the City owned, what the City was purchasing, where the grain tower was located, the land the City would lease, and the reversion area.

Council Member Justin Green asked if there were any legal issues with the City owning a structure, but not owning the land the structure was on.

City Attorney Trevor Dennis stated to his understanding the City took over the lease of this land which it did not own. He stated the railroad would work with the City to ensure the City had the property interest it needed.

Assistant City Manager of Administration Norm Stephens stated the railroad had provided an amount for the lease. He stated if the railroad refused to sell, which he was not saying the railroad would do, a long term lease would be considered. He stated he believed the railroad would want to sell; however, no price had been provided yet.

Mr. Schwab stated the lease amount was \$5,000 dollars. He continued to discuss the map showing the sale area and lease area. He stated the railroad had indicated \$5,000 dollars per year to lease the area on the map indicated for lease but had not provided a sale price for the remainder of the land.

Mr. Stephens stated if the railroad refused to sell the land, he asked the railroad to consider a 50 year lease.

City Attorney Dennis noted this was pretty typical for grain towers; often grain towers were on 50 to 99 year lease with the railroads.

Council Member Green asked if there would be any problem with the City owning the structure but leasing the land on which the structure stood.

City Attorney Dennis responded he did not believe there would be any issues, but he would have to research to make sure there would not be any difficulties in using General Obligation Bond money to improve a structure on land which the City leased but did not own.

Council Member Green stated at one point in time discussion about being open to the possibility of a public private partnership for this property was held. He asked if any member of the public had approached the City with any suggestions.

City Manager Spurgeon responded no one approached him and he had not explored this idea since the direction from City Council was to acquire the tower for preservation purposes.

Mr. Stephens responded there was an individual who was interested in the tower before the City acquired it, but he had not spoken with the individual since the tower was acquired.

Mr. Schwab stated he was told Oklahoma City acquired a grain tower and turned it into a rock climbing facility on the inside.

Vice Mayor Gillespie agreed with Council Member Parks; this was a landmark, and she did not want to make it a profit center. She suggested devising a way for visitors and citizens to go to the top of the grain tower and have a view of the City. She said she liked the idea of a permanent stage and sound system for concerts.

Mr. Schwab stated Engineering was working on a contract to have it inspected from a structural perspective. He stated once this was done perhaps the City could paint it with a City of Broken Arrow or Rose District logo. He stated leaving this as a historic preservation icon would be the easiest thing to do; if it were turned into anything else there might be code issues. He stated if anything was done with the tower, including putting an observation deck up top (an idea which he loved), any time there was an emergency the elevators would have to be shut down, stairs would have to be used, fire code access would be required, and a tank would have to be up top for emergencies.

City Manager Spurgeon stated City Staff could look at the idea of an observation tower and obtain estimates. He asked what City Council thought about a stage on the west side of the pavilion. He stated he would not want to build a stage if it were not used, and he wondered if this were an opportunity to hold events using the stage, would the existing pavilion space be large enough to enjoy a stage, or would this take away from a stage being on Main Street.

Mayor Wimpee stated she believed a stage on the west side of the pavilion would be amazing; the fence would have to come down, but this would have to happen anyway to expand the Farmer's Market. She noted even during the Farmer's Market there could be performers on stage creating a lovely atmosphere every Saturday and Tuesday, and concerts could be held during evenings as well.

Council Member Ford stated as a past event planner for Main Street and the Farmer's Market, when she used the City stage it was always the center of everything; putting the stage to the west of the pavilion would be off the beaten path and she did not feel this was the best location for a stage. She said if she were planning an event she would want the stage on Main Street. She noted, also, if there was a band playing during the Farmer's Market it would be difficult to communicate with the vendors due to the loud music.

Vice Mayor Gillespie asked about building the stage to the south of the museum.

Mr. Schwab stated he understood the access point on the map was for the grain tower, and this was why the fence was on the north side. He stated if the City owned all the land, he expected the fence would go over to the curb stops on the south side and the whole area would belong to the City and the fence on the west could be removed. He noted Mayor Wimpee previously asked whether the railroad had talked about closing Ash; the railroad had not discussed this yet, but he would not be surprised if this came up during the discussion about acquiring the land.

Council Member Ford stated if Ash were closed, the City would have more usable space.

Mayor Wimpee agreed noting if Ash were closed, the space could connect into the other City parking lot.

Mr. Schwab asked Mr. Henkel to discuss the Farmer's Market.

Mr. Henkel reported over the last few years the Farmer's Market expanded to Tuesday nights, had 90 vendors on Saturday and another 70 vendors on the waiting list, so if the Farmer's Market were to expand he believed there would be plenty of vendors to fill the space and there would likely still be a waiting list.

City Manager Spurgeon stated vendors preferred being under a covered area and he had envisioned adding more covered areas for vendors. He said he felt the stage could be an opportunity for the Museum to use for VIP and fundraising events. He stated he just did not want to build a stage which would only be used three or four times a year. He stated there were many opportunities for different things; the area did not need to be all asphalt; there was opportunity to put in grass on the west side.

Mayor Wimpee stated amphitheater turf could be installed.

Council Member Green stated immediately around the grain tower at the bottom could be covered for events such as weddings, parties, etc.; a pergola type structure could surround the bottom of the grain tower.

Council Member Ford stated even if the City did not want to partner with a private business, if the City wanted to do something like a rock climbing facility, perhaps the Parks Department could manage the facility. She stated she was not set on a rock climbing wall; however, she received positive feedback on social media about the idea of a rock climbing wall.

Council Member Parks stated before anything else was done with the grain tower it had to be inspected to ensure the structure was sanitized and vacuumed and well cleaned to prevent any type of infection caused by mold and old grain.

City Manager Spurgeon stated he would like to move the electric poles and aesthetically clean up the area.

Mr. Schwab displayed a photo of the weigh station where the scales used to be located, and this could be removed.

Mayor Wimpee stated Okay Seed (the grain tower in Oklahoma City) had rock climbing inside and outside the tower.

Vice Mayor Gillespie asked if Oklahoma City owned the Okay Seed grain tower, because that made a difference.

Council Member Parks stated, if there was a rock climbing wall, he would prefer it to be on the inside of the tower. He noted the Fire Department wanted to use the grain tower, which was okay, but the Fire Department would not be installing things on the outside of the tower.

Vice Mayor Gillespie stated she would guess the Okay Seed facility was owned by a private entity. She noted the insurance on such a facility would be expensive. She said she was all for business coming to Broken Arrow and building a climbing facility.

City Manager Spurgeon stated he would take the information and suggestions made by City Council and have Charlie Bright and his team get an estimate for repainting the tower with a logo, and he would get City Council's approval regarding the logo. He stated he would have Mr. Schwab work up a contract with an architect to do some visioning based on comments made by City Council. He stated he would also look at what would be required to install an observation deck and the necessary safety precautions involved. He noted he would also make arrangements for City Council to see inside the facility.

Discussion ensued regarding where upon the grain tower the observation deck might be located, and the similarities between the grain tower and a lighthouse.

B. 24-1069 Consideration and discussion of the Agriculture Zoning Code

Mr. Rocky Henkel stated this was to discuss what the City was allowed to do through the abatement process when it came to land zoned as Agriculture. He stated currently, the City was tied to state statutes and limited to what it could do. He noted some of the attachments were the state statutes tied which applied to land zoned agricultural. He asked for direction regarding what City Council wished Staff to look into.

Vice Mayor Gillespie noted there were agricultural areas in the City which were causing issues seriously affecting adjacent landowners. She stated she did not realize the City had no power over agricultural property by simple ordinance or code. She noted property owners could pile trash, and the City could not do anything about it. She stated there was one property in particular with a trash pile which was a concern.

Council Member Ford asked if this was true for agricultural land in City Limits. She noted by the City of Wellston property owners were putting human excrement on the ground as fertilizer and it was horrible. She stated if the City of Broken Arrow had no rules forbidding this behavior it could happen in Broken Arrow. She asked what the City could do to protect its landowners.

City Attorney Dennis stated there were two factors which applied to agricultural land; the land had to be zoned agricultural and had to be used for agriculture, so often when the City annexed new land into the fence line it came in as agricultural, but it could be used as residential. He stated statute defined agriculture use broadly, but if it was zoned agriculture and used for residential, the City had the right to enforce the nuisance code. He stated if an agricultural activity was being done on a property zoned for agriculture, then the state statute applied and severely limited the City's ability to enforce the nuisance code. He stated in terms of weeds and trash; the weeds and trash could be abated if it became a hazard to traffic, and it had to be within 10 yards of the public right-of-way. He stated in terms of using human excrement for fertilizer, Oklahoma was very agricultural friendly and had a statute which talked about agriculture activities as a nuisance, and basically if it had been used for ranching or farming for more than three years and was done in a way which was considered an established agricultural practice, then the State would give the farmer immunity. He stated he was unsure if the use of human excrement as a fertilizer was an established agricultural practice or not and would have to do some research.

Council Member Ford stated this was the problem, there were no rules.

Vice Mayor Gillespie stated someone should run for a state seat and change the legislation to give cities more authority.

City Attorney Dennis agreed the most straightforward way to fix the problem would be to give cities the right to regulate agricultural land under the nuisance code; however, as it was, if the land was zoned agricultural and was being used for agricultural purposes, then the City was limited in terms of regulation.

Vice Mayor Gillespie asked Joe to speak.

Mr. Joe Williford stated if the City received a complaint about agriculturally zoned property, the City would investigate to determine whether the landowner was doing any activities which would exempt the landowner from being regulated by the nuisance code. He stated if it were found that the landowner was exempt, it would still send a courtesy letter and make the landowner aware of the neighbors' complaints. He noted sometimes the landowner would reach out to the City after receipt of the letter. He reported regarding the complaints about the trash buildup mentioned by Vice Mayor Gillespie, the property owner had hauled off a large portion of the trash and was still working with the City to clean up the remainder of the property. He stated if a landowner were willing to work with the City, the City would work with the property owner to resolve any issues, but the City had no enforcement mechanism to make a landowner resolve the issue. He stated he hoped to have this property completely cleaned up in the next three to four months.

Vice Mayor Gillespie asked what type of trash was on the property.

Mr. Joe Williford responded the trash had accumulated over the past ten years. He noted the property owners were missionaries who went to prisons, did missionary work, and had gardens on the property.

Council Member Parks asked if the City would have any right to enforce nuisance code for a bad odor.

Mr. Joe Williford stated this would go back to Title 50 nuisance regulations for farmland and ranch land.

City Attorney Dennis stated Title 50 was very agriculture and rancher friendly and basically exempted many agricultural activities from nuisance, spreading fertilizer was exempt for example.

Vice Mayor Gillespie stated the resident who was complaining stated someone was living on the property, that the property was residential. She stated if someone lived on the property the City should be able to enforce nuisance code.

Mr. Joe Williford agreed someone lived on the property, but farmers were allowed to live on their farm, and the farm would still be considered agricultural. He stated every farm and ranch had a home on the property; what made the property agricultural was if any type of farming or ranching activity was also done on the property.

Council Member Green asked if the City had any control over runoff.

Mr. Schwab stated he believed in terms of floodplain the City had some rights because the City was a part of a national flood insurance program, through FEMA, which was federal, and was not a zoning thing. He stated if a property owner were to build a trash pile in a flood plain the City could address things, or if contaminants were going into the City's drainage system.

Council Member Green asked, human excrement aside, if a landowner was using a chemical fertilizer, and it was running onto a neighbor's property, did the City have any rights.

Mr. Schwab stated he would have to look into this.

City Attorney Dennis stated if it were a stormwater or drainage issue, it was a separate matter from nuisance, and would not be subject to the prohibitions on the nuisance code enforcements.

Mr. Schwab stated he believed with floodplain, and possibly stormwater, there was something which could be done at the DEQ level, and fortunately Broken Arrow was represented on the Water Quality Management Counsel, so perhaps additional information could be obtained through the Counsel.

Vice Mayor Gillespie stated she felt this would be a good discussion for OML and a good legislative item for the City to concentrate on as it not only affected Broken Arrow but other municipalities as well.

C. 24-1070 Consideration, discussion, and possible action for the Proposed Elam Park Community

Center

Mr. Kenny Schwab reported this item was in the 2018 GO Bond package for \$3 million dollars to help build the park and was approved by the public. He noted it was under construction and was nearing completion. He stated on June 16, 2020, Ordinance No. 3639 was adopted by City Council establishing the Southwest Park Advisory Committee and the Committee met from August 27, 2020, until August 31, 2021, when it presented a Master Plan to City Council. He stated the property was obtained via an exchange of land between the City and Broken Arrow Public Schools in May of 2019. He stated this was a 53 acre park with a Master Plan and a Community Center and there was discussion about an aquatic center for the park. He stated Broken Arrow Public Schools was looking at a natatorium and Elam Park was being considered as a location. He stated the City connected with Broken Arrow Public Schools to consider a natatorium in this location, costs to build, costs to run, etc., and this discussion was ongoing. He noted for the City to build an aquatic center, it would have to be built for public use, and it would have to be more of a warm body of water with some shallow areas and some deep areas with different times of operation. He noted the school wanted a competitive natatorium which would have colder water, a wider pool and a standard depth, so there were different interests. He stated if the Schools built the natatorium, of course the Schools would want to train in the facility with individuals and teams and there would be competitions which would create a challenge for the public, so an agreement had not yet been reached. He noted if the City of Broken Arrow and Broken Arrow Public Schools partnered then the cost of the water was a nonissue; however, if Broken Arrow Public Schools built in another location not partnered with the City, there would be a charge for the water. He stated the feasibility report including a needs analysis, conceptual plan, and operational cost analysis had not yet been presented, but was nearing completion. He noted the draft feasibility report was attached.

Mayor Wimpee stated she did not believe the City needed two large indoor pools. She noted the YMCA was looking to partner with the City in some way and could possibly run the facility.

City Manager Spurgeon stated there were many things to consider. He noted the Vice Mayor served on the Committee and in the Master Plan it included a Community Center. He stated City Council adopted the Master Plan, just like it adopted the Master Plan years ago for the Events Park which had an amphitheater. He indicated he had many conversations and meetings with Superintendent Perry and Assistant Superintendent Dunn about this and there were some challenges. He stated in the bond package last year the voters approved a natatorium or swim center anywhere within the School District, and the purpose of this was to look at a possible partnership with the City. He stated the Schools had about \$35 million dollars and after architectural fees and everything there would only be about \$31 million dollars left and this was not enough to do build the facility the Schools would like to have. He stated the facility the Schools planned would focus on cold water, would have a small warmup pool and a 50 meter competition pool with all the necessary accessories, such as a workout facility for the athletes, locker rooms, common areas for team meetings, etc. He stated if the natatorium were built in Elam Park there would be additional site improvements needed to make the building work which the Schools would have to pay for as the City had not budgeted for these improvements and this meant less money for the Schools to build as well. He indicated discussion about a partnership between the City and Schools to build a natatorium at Kirkland was ongoing. He noted the School District owned the Kirkland land, the infrastructure was present, it was in the center of the community and was close to the high school. He noted the challenge was, the City had a Master Plan showing a Community Center and if the City partnered with the Schools it would be difficult to accomplish both a pool at Kirkland and the Community Center at Elam Park, and there would be an issue if the City partnered with the Schools for a facility at Kirkland which would not be available for the public as it would be focused on the School District. He noted also, the voters had not approved this, and it would cost about \$40 million dollars.

Director of Engineering and Construction Charlie Bright stated just the complex would cost \$30 to \$40 million dollars; the total park was estimated to cost about \$50 million dollars for all improvements.

City Manager Spurgeon stated City Council would have to decide would the City do phase 2, which was the community center, or phase 2 with phase 3. He stated the survey earlier this year showed the residents were in favor of a community center with splashing, meaning warm water. He stated the other challenge was, if City Council wanted to do the whole Master Plan, the City would have to accumulate the funds unless Finance Director Cindy Arnold could find a way to borrow the money and use debt service to pay it back. He stated there were many challenges and many "what ifs." He stated the School District wanted to go to Kirkland and City Council needed to decide if it wanted a partial partnership at Kirkland or whether the Schools should build the natatorium on its own while the City built the traditional Community Center with the possibility of additional splash features. He stated he did not see the need for another competition pool, but perhaps a zero entrance water feature with warm water areas for physical therapy, seniors, etc. He said a public hearing would need to be held

if any changes were made.

Council Member Green stated the School District, and the City, had two different priorities, and each should focus on their own priorities.

Council Member Ford stated there were two different needs; the Schools needed cold water, and the City needed warm water, so a partnership would be very difficult.

Vice Mayor Gillespie asked if Mr. Bright's estimate included a pool.

Mr. Bright stated his estimate for \$50 million dollars was just for a Community Center. He stated he did not recall what the estimate was to add a pool.

Vice Mayor Gillespie stated the City did want a pool, but mostly because it was talked about so much, and it should go before the public in a vote; if the public wanted a pool, taxes could be raised to pay for it. She noted there were many other things in this park which she was excited about, more than the community center.

Council Member Ford stated she did not care whether a community center was there or not if other things could be added.

Vice Mayor Gillespie agreed.

Council Member Parks stated he thought there would be a community center at Elam Park someday, but he did not realize that two separate pools would be needed. He stated if the City and School could not use the same type of pool, then a partnership would not be possible. He stated he felt a indoor pool would be better placed more centrally in Broken Arrow, especially if there was no partnership with the Schools. He stated senior citizens would be able to use an indoor pool year round.

Council Member Ford stated she felt a warm water indoor pool would be a big asset to Broken Arrow senior citizens to do water aerobics and such. She stated there were plenty of pools for children already. She stated having a zero water level entry would be excellent for those with disabilities as well, and this was something the City did not have. She indicated the Senior Center would be a good location for this type of pool.

Discussion ensued regarding the best location for a warm water indoor pool and what would be included in the Community Center.

Mr. Bright stated when talking about a warm water pool, it is not truly a warmer water pool; warm water was a way to describe recreational water and might include a lazy river or a wave pool or playgrounds in the pool; all this was considered "warm water." He stated it was not necessarily a pool, it was activities. He stated Mr. Hendren was thinking if there were no pool at Elam Park multiple basketball courts could be built to help grow basketball in the City, while also building activity spaces.

City Manager Spurgeon stated as City Council knew, both of its community centers were dominated with sports and there was very little room for traditional activities. He stated Mr. Hendren recommended including activities which were not sports related. He noted right now it was almost impossible to get a space in the existing community centers because the community centers were dominated by the user groups.

Council Member Ford noted pickleball was popular, and basketball would be busy, and she appreciated the outdoor tennis courts all over town where pickleball could be played, but she had many residents asking for inside pickleball courts.

Mayor Wimpee asked if there was a pickleball arena opening up at 71st and County Line.

City Manager Spurgeon responded in the affirmative. He stated in next year's package true pickleball courts might be included, perhaps one in Central and one in Nienhuis, with covered areas to sit, but the City needed space for traditional programming and multipurpose programming in the Community Center. He said if the City did not build a Community Center, but wanted something in the middle, the City might partner with the Schools at Kirkland as a phase 1 and then could do something with the Schools.

Mr. Schwab stated during the feasibility study, when talking about trying to partner with the Schools, the natatorium, if it went in the Master Plan location, the natatorium had to be built in such a manner that it would have to be built on both properties because the City could only spend bond money on what it owned and the Schools could only spend bond money on what it owned, and the creek cut between the two properties which would cause complications and increased costs. He stated the Schools consultant recommended the Schools keep ten percent of available funds in reserve for continued operations and replacement maintenance.

Council Member Parks asked how the City would be able to partner with the Schools at Kirkland if the City had to own the land to spend bond money.

City Manager Spurgeon stated this was a question which still needed answering.

Mr. Schwab stated bond money could not be used, but there was the potential to use other funds.

Vice Mayor Gillespie stated on the Committee, the individual who was very pro-pool was no longer on City Council and had been all about a competitive pool not a community pool, so this was why it was pushed so hard during the Committee. She stated she did not feel anyone else on the Committee cared about the competitive pool.

Council Member Green stated the community expected this to be a pool for families, not for competition.

Vice Mayor Gillespie stated when the Committee designed the Master Plan, it was included as a competitive pool.

Mr. Schwab stated the Schools wanted a nationally competitive pool so it could draw competition from outside the State.

Council Member Green asked about phase 1 of the park.

Mr. Bright displayed and discussed phase 1 of the park including the drive, parking and the playground. He stated the parking lot was designed to be added onto, and half of the tree orchard was included in phase 1 as well. He stated the future phases were not identified yet. He stated right above the playground, while one individual on the Committee wanted a competitive swimming pool, the others wanted a splashpad, so outdoor water was shown near the playground.

Vice Mayor Gillespie asked if there was something more innovative, maybe an indoor splash feature, but not necessarily a pool.

Council Member Ford suggested it be made ADA compliant.

Vice Mayor Gillespie suggested maybe a smaller warm water pool for exercising with a splash pad for kids.

City Manager Spurgeon stated a traditional community center with indoor water facilities, albeit zero entrance, or splash, was something the YMCA was familiar with in terms of a cooperation agreement. He noted the YMCA was struggling with how it would partner with the School District with a competition based pool.

Council Member Green asked if the City partnered with the YMCA whose rules would be followed. He noted the YMCA had rules about being able to pass a swim test before being allowed into a pool with a certain depth. He asked if the YMCA or the City would set the rules.

City Manager Spurgeon stated this would be part of the negotiation of the cooperation agreement. He noted there were several cities which had partnerships with the YMCA. He stated the Broken Arrow YMCA wanted to partner with the City, and the YMCA had resources to bring to the table. He noted the YMCA was profit driven, but if the facility were ever in the red, the City would have to cover expenses, just like with Battle Creek Golf Course.

Council Member Green asked what would happen if the YMCA decided to back out.

Mr. Schwab responded then the City would be responsible for operating the pool.

City Manager Spurgeon stated this happened in Ponca City, the YMCA ended the agreement after 10 or 20 years, and the City became responsible for the facilities. He stated a portion of the bond package would have to be dedicated to maintaining the facilities, but this was the same with a community center as well. He stated from what he was hearing, a majority of the City Council Members would like to see this park with some type of water feature. He noted if this were not the case then discussion could continue.

Vice Mayor Gillespie stated she felt the City needed to think outside the box regarding the water feature.

Mayor Wimpee stated something like Mr. Bright suggested, a lazy river, slides, and

incorporating something for seniors would be good.

Council Member Parks stated it would be good to have a pool area seniors could use for exercise. He stated he did not see a lot of invigorating exercise with the indoor splashpad. He said he would like to see basketball courts, but maybe in the future because he would like to see an indoor pool. He stated there were several outdoor pools, and the City could use an indoor year round pool, even though it did not look like the City would be able to partner with the Schools as the City did not want to build two pools.

City Manager Spurgeon agreed it would be good for the pool to include features for seniors to do therapeutic swimming because this was hugely popular and building a water feature without this could hurt the proposition.

Council Member Ford stated she believed exercises could be done in a lazy river. She stated whoever designed the water feature should be able to design a water feature which had something for everyone.

City Manager Spurgeon stated he understood and would move forward with City Council's direction.

D. 24-1068 Consideration, discussion, and possible approval of long-term strategic plan for Adams Creek Sewershed Basin

Mr. Charlie Bright stated Emily Rowland, Environmental Division Manager, and Cole Niblet with the consulting firm Garver who did the study were present for questions. He stated the discussion today was not about growth, it was about the direction of Broken Arrow in 30 or 40 years. He explained this was to set a plan in place, so when growth did happen the City would be able to take the appropriate steps to handle the growth. He stated originally there were six options which varied on timelines and trigger points, but it boiled down to two options: continue using the Lynn Lane Wastewater Treatment Plant and grow the plant or build a new wastewater treatment plant in the basin in the northeast part of the City.

Environmental Division Manager Emily Rowland made a Power Point presentation including a timeline of wastewater treatment in the City of Broken Arrow since 1950. She noted every 15 years the City of Broken Arrow reached a decision point regarding upsizing the system. She displayed and discussed a slide illustrating the sewer basins in the City including Haikey Creek Basin which shared a treatment plant with the City of Tulsa, and the Lynn Lane basin which flowed to the Lynn Lane plant, as well as the independent sewer area, Green Country Sewer, and finally the Adams Creek Basin which was under discussion today. She stated Broken Arrow had around 30 lift stations, almost half of which were in the Adams Creek Basin. She displayed and discussed a slide illustrating how lift stations functioned. She displayed a slide showing where the lift stations were located in the Adams Creek Basin. She noted Adams Creek Basin was separated from the Lynn Land Basin by a natural ridgeline in the City. She displayed and discussed flow transfer scenarios: Scenario 1, send everything to the Lynn Lane Plant and Scenario 2, build a new plant in the Adams Creek Basin. She stated building a new plant would relieve a significant amount of lift stations in the Adams Creek Basin which required a lot of operation and maintenance. She stated Scenario 1 was no change to the existing plan, but the biggest issue was it did not address many of the issues in the Adams Creek Basin. She stated Scenario 1 would also include upsizing the lower county line interceptor which was upsized a few years ago for \$20 million dollars to \$30 million dollars, and the Lynn Lane Plant would also have to be upgraded. She stated Lynn Lane was currently permitted at 8 mgd (million gallons a day) which was adequate for current operations, but as the City grew additional infrastructure would be needed with extra clarifiers, more biosolid management, and other significant upgrades to meet demand.

Mr. Schwab stated the Greens Life Station was on County Line going north of Albany about a half mile on the left. He stated the lift station on 37th Street by Preserve Park was the Adams Creek Northwest lift station which was Broken Arrow's most challenging lift station. He stated the lift station coming down Kenosha, turning on Oneta Road, north half a mile, the old Adams Creek lift station was also one of the most challenging lift stations.

Ms. Rowland reviewed Scenario 2 which looked at a new plant. She discussed the pros and cons: Pros: 1) Leverages current investments in infrastructure; 2) Allowed for flexibility of plant timeline/planning; 3) Relieves multiple lift stations in the Adams Creek Basin; 4) No significant upgrades needed at LLWWTP for capacity; 5) Allowed for flexibility as growth continues in east Broken Arrow; and 6) Water reuse benefits. Cons: 1) Required significant investment in a shorter period of time (depending on plant timeline); 2) Required staffing, operations and maintenance of a new plant (but operation and maintenance costs would be needed for Scenario 1 as well); and 3) Public perception of reuse. She reviewed the costs of Scenario 1 and Scenario 2 which ultimately cost about the same: Scenario 1 cost about \$280 million dollars and Scenario 2 cost about \$278 million dollars over approximately 40 years. She stated one of the two choices were required.

Mayor Wimpee stated with the costs being similar, and none of the City Council Members being professional wastewater experts, she was leaning toward the City experts indicating which was the better choice.

Ms. Rowland stated through the report from Garver, and internal Staff discussions, the recommendation was Scenario 2; Scenario 2 offered flexibility, utilized current infrastructure, and helped with growth in the northeast.

Mr. Schwab asked if the estimated costs included operational costs as well as capital.

Ms. Rowland responded in the affirmative.

Mr. Schwab stated this meant \$278 million dollars included 40 years of operating the system as well as building the new facilities.

Council Member Green stated he was in favor of Scenario 2.

City Manager Spurgeon recommended no action be taken this evening, a short presentation be made on television at a meeting, and then a vote could be taken.

Council Member Parks stated there were a lot of areas in Adams Creek Basin which were not in the City of Broken Arrow and were on septic tanks and there was a lot of sewage dumping into the creek which was a problem. He stated the new aerobic systems worked better, but he worried about sewage accumulating on top of the soil and it would benefit the new housing developments going up to be within the City of Broken Arrow.

Mr. Schwab stated what left the Haikey Creek Plant and what left the Lynn Lane Plant, by federal and state statute, was much cleaner than what was in the river, and it would be the same in Adams Creek.

Council Member Parks stated he was excited about the prospect of a new sewer system and treatment plant as it would protect the future of Broken Arrow.

6. Remarks and Inquiries by Governing Body Members

Council Member Parks stated Vice Mayor Gillespie made a presentation during the VJ Day event and did a wonderful job. He thanked Mayor Wimpee for visiting the Colorado Springs facility and gathering information.

Mayor Wimpee reported she went to Colorado Springs for the opening of the Amphitheater. She noted the Colorado Springs Amphitheater only had 8,000 seats without a cover, and the facilities were amazing. She discussed how the Colorado Springs Amphitheater was set up with its facilities, parking, etc. She said the Sunday night concert was fantastic with huge fireworks, was cut short due to lightning, and she was able to leave quickly.

City Manager Spurgeon discussed the importance of Broken Arrow's Safety Team visiting the Colorado Springs facility, as well as the other City Council Members.

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

City Manager Spurgeon stated there were two topics for the next work session: selling fireworks in the City and future road programs. He noted the task force for housing met for the second time today, and the Mayor and Council Member Parks were present. He indicated both meetings were excellent with good participation from Broken Arrow Public Schools. He stated at the next meeting two Planning Commission Members would be added to the task force, and the City would reach out to the County about adding a couple of Wagoner County Commissioners and would contact the City of Tulsa as well.

Mayor Wimpee stated there were many homes coming online which were outside the Broken Arrow City Limits, in the City of Tulsa or Wagoner County, which were going into the Broken Arrow Public School System.

Discussion ensued regarding Broken Arrow Public Schools zoning areas and the new homes outside of the City Limits which were feeding into the Broken Arrow Schools; new homes meant more taxes, but also meant more children in the school system.

Vice Mayor Gillespie noted families would not continue to move to the City of Broken Arrow if every school had a prefabricated trailer to accommodate the volume of students. She stated it was important to plan ahead for school growth. She discussed the problems with overcrowding Broken Arrow schools were currently dealing with, noting the School Board had to take some responsibility. She stated it was important for the Schools to communicate with the City and speak up regarding Broken Arrow growth.

City Manager Spurgeon stated Mr. Schwab and the Community Development Team did an excellent job putting information together and answering questions during the meetings; he thanked Mr. Schwab and the Community Development Team. He reported two of the four interviews for the Chamber CEO were held, two more would be held next week, and then the Committee would be in a position to conduct second interviews. He thanked Lori for attending the meeting this evening.

Ms. Lori Lewis made comments about the Selection Committee Meetings

8. Adjournment

The meeting was adjourned at approximately 7:16 p.m.

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

Move to adjourn City Council

The motion carried by the following vote:

Aye: 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

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

Move to adjourn BAMA

The motion carried by the following vote:

Aye: 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

Mayor

City Clerk