



City of Broken Arrow
Meeting Agenda
Broken Arrow City Council

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

Monday, June 15, 2026

6:30 PM

Council Chambers
220 South 1st Street
Broken Arrow, OK

1. Call to Order

2. Invocation

3. Roll Call

4. Pledge of Allegiance to the Flag

5. Consideration of Consent Agenda

- A. [26-11](#) Approval of the City Council Meeting Minutes of June 1, 2026
- B. [26-12](#) Approval of the City Council Meeting Minutes of May 19, 2026
- C. [26-955](#) Approval of the Special Joint Meeting (Budget Workshop) minutes of May 12, 2026
- D. [26-845](#) Acceptance of Planning Commission meeting minutes of May 14, 2026
- E. [26-907](#) Approval of and authorization to execute Resolution No. 1754, a resolution adopting Ordinance No. 3918, an ordinance amending Chapter 7, Business Regulations And Licenses, Article I - In General, of the City Of Broken Arrow Code Of Ordinances; specifically amending Section 7.3, Door-To-Door Peddler Solicitation; Restrictions, Registration, Penalties, to add the No-Knock List, License Revocation, And License Reinstatement Fee; repealing all ordinances to the contrary; and declaring an emergency
- F. [26-884](#) Acknowledgement of receipt of Oklahoma Department of Environmental Quality Notice of Violation, SWM-040001-26-1 dated May 15, 2026
- G. [26-885](#) Acknowledgement of Oklahoma Water Resources Board letter dated May 26, 2026 stating Broken Arrow is effectively promoting and administering the National Flood Insurance Program

- H. [26-921](#) Approval of the Payroll and Benefit Calendar for Fiscal Year 27
- I. [26-924](#) Approval of and authorization to execute Budget Amendment Number 35 for Fiscal Year 2026
- J. [26-832](#) Approval of and authorization to execute a second renewal agreement with Addco Electric, Inc. for electrical services
- K. [26-797](#) Approval of and authorization to execute FY 2026 First Amendment to Broken Arrow Seniors Services Contract
- L. [26-941](#) Approval of and authorization to execute the second renewal for Medical Oxygen and Industrial Gas to American Medical Gas
- M. [26-799](#) Approval of and authorization to execute a Professional Services Agreement with Best & Sharp, for providing counsel and legal advice regarding Civil Rights law
- N. [26-940](#) Approval of and authorization to execute a professional services agreement between Dr. Stephanie Bradley, DVM and the City of Broken Arrow
- O. [26-915](#) Approval of and authorization to execute Agreement for Professional Consulting Services with Garver for the design of NEEDA (North Elm Economic Development Area) Regional Pond Improvements and Madison Street Extension (Project Number SW25020)
- P. [26-886](#) Approval of and authorization to execute an integrated supply agreement Renewal No. 3 by and between Genuine Parts Company d/b/a NAPA Auto Parts and the City of Broken Arrow pursuant to the Sourcewell Cooperative Purchasing contract (formerly NJPA) number 110520-GPC
- Q. [26-827](#) Approval of and authorization to execute the first renewal to Graham Mechanical HVAC LLC as the vendor for HVAC services under \$2,500
- R. [26-929](#) Approval of and authorization to execute a Memorandum of Understanding with Independent School District Number 3 (Broken Arrow Public Schools) for 1) providing partial funding for School Resource Officers and 2) funding school crossing guards
- S. [26-854](#) Approval of and authorization to execute a renewal agreement with Infinity Fire for Fire Monitoring Services
- T. [26-895](#) Approval of and authorization to execute Agreement for Professional Consultant Services with Kimley-Horn and Associates, Inc. for the 79th Street (Midway Road) and Houston Street Intersection Widening project (Project Number ST24240)

- U. [26-912](#) Approval of and authorization to execute Agreement for Professional Consultant Services with Kimley-Horn and Associates, Inc., for On-Call Traffic Engineering and Related Support Services (Project Number 2652060)

- V. [26-868](#) Approval of and authorization to execute a Professional Services Agreement with Kivell, Rayment & Francis, P.C. for providing counsel and legal advice regarding right-of-way acquisitions, title opinions and property law

- W. [26-928](#) Approval of and authorization to execute renewal of LarMar Industries for Generator Service and Repair

- X. [26-816](#) Approval of and authorization to execute the Professional Services Agreement between the City of Broken Arrow and McAfee & Taft, P.C. for providing counsel and legal advice regarding employment law and labor law

- Y. [26-948](#) Approval of and authorization to execute Oklahoma Real Estate Commission Acknowledgement and Confirmation of Disclosures, Oklahoma Real Estate Commission Vacant Lot or Tract and Oklahoma Real Estate Commission Cooperative Compensation Supplement for the purchase of real property located at 1201 South Main Street, Broken Arrow, Oklahoma 74012, the North 150 ft, Lot 2, Block 2, Maple Leaf Addition, Tulsa County

- Z. [26-825](#) Approval of and authorization to execute the second renewal for Wrecker Service to Storey Wrecker and 918 Wrecker Service to be rotated at the first of each month

- AA. [26-813](#) Approval of and authorization to execute a Client Services Agreement between the City of Broken Arrow and TEAM Professional Services, Inc., to provide occupational services for pre-employment and employment requirements

- AB. [26-851](#) Approval of and authorization to execute a renewal agreement with TLS Group Inc for traffic signal repair services

- AC. [26-796](#) Approval of and authorization to execute a Professional Services Agreement with Bradley Werner, LLC, for providing counsel and legal advice regarding Franchise law

- AD. [26-848](#) Approval of and authorization to enter into a service agreement with Zartico, Inc. for economic impact and tourism tracking data

- AE. [26-939](#) Approval of and authorization to execute a professional services agreement with Dr. Kristi Wittlich, DVM and the City of Broken Arrow

- AF. [26-741](#) Approval of and authorization to execute an annual use agreement between the City of Broken Arrow and ArtsOK, Inc

- AG.** [26-859](#) Approval of and authorization to execute an annual Parks and Recreation Use Agreement between the City of Broken Arrow and the Broken Arrow Community Playhouse

- AH.** [26-744](#) Approval of and authorization to execute an annual use agreement between the City of Broken Arrow and Broken Arrow Genealogical Society

- AI.** [26-740](#) Approval of and authorization to execute an annual Use Agreement between the City of Broken Arrow and Broken Arrow Historical Society

- AJ.** [26-739](#) Approval of and authorization to execute an annual use agreement between the City of Broken Arrow and Broken Arrow MVA d/b/a Oklahoma Military History Center

- AK.** [26-742](#) Approval of and authorization to execute a Use Agreement and Services Contract between the City of Broken Arrow and Broken Arrow Seniors, Inc

- AL.** [26-738](#) Approval of and authorization to execute an annual use agreement and sublease between the City of Broken Arrow and Broken Arrow Veterans Center, Inc.

- AM.** [26-953](#) Approval of and authorization to execute an inter-local agreement with Independent School District No. 9 (Union Public School District) for school crossing guards

- AN.** [26-876](#) Approval of and authorization to execute the purchase of ACE Municipal Advantage Public Entity Liability coverage with limits of \$2,000,000 per claim/\$2,000,000 aggregate through ACE American Insurance Company (Chubb) effective July 1, 2026

- AO.** [26-913](#) Award the most advantageous bid to Apac-Central, Inc., as primary with Greenhill Materials, and Anchor Stone Company as back-up bidders, for purchase of Aggregate as needed

- AP.** [26-914](#) Award the most advantageous bid to Apac-Central, Inc. and Ellsworth Construction and as the primary vendors, and award Millennial Asphalt as a back-up vendor for asphalt as needed

- AQ.** [26-918](#) Award the most advantageous bid to Central Salt for the purchase of Medium Road Salt with YPS (Yellow Prussiate of Soda) for the Streets and Stormwater Department

- AR.** [26-878](#) Approval of award to the most advantageous bid to Crown Office Furnishings, for the purchase of Furniture, Fixtures and Equipment (FF&E) for the Operations Center Administration Building (Project No. 2317210)

- AS.** [26-945](#) Award the most advantageous bid to Green Acre Sod Farms for purchase of Bermuda Sod on an as-needed basis

- AT.** [26-916](#) Award the most advantageous bid to Greenhill Concrete as the primary vendor and award NexLevel Redi Mix as backup vendor for Concrete as needed
- AU.** [26-862](#) Award the most advantageous bid to HHM Facility Management, LLC and authorize execution of a service agreement for Janitorial Services for City owned facilities listed in bid No. 26.151
- AV.** [26-917](#) Award the most advantageous bid to Termax Pest Control for Pest Control Services for the various City owned facilities
- AW.** [26-899](#) Approval of and authorization to execute the Change Order #5 with Becco Contractors, Inc. for the Houston Street Widening, Garnett Road to Olive Ave (ST2028)
- AX.** [26-856](#) Approval of and authorization to execute Change Order #2 with Builder's Unlimited, Inc for the Park Maintenance Building Events Park (2560140)
- AY.** [26-837](#) Approval of and authorization to execute the Change Order #2 with Cherokee Pride Construction, Inc. for the Carriage Crossing Residential Rehab Project (ST25310)
- AZ.** [26-819](#) Approval of and authorization to execute Resolution No. 1753, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 7.0, consisting of 13,120 square feet of permanent Right-of-Way located at 706 East New Orleans Street in Broken Arrow, Oklahoma, in the Southeast Quarter of Section 23, Township 18 North, Range 14 East, Tulsa County, Oklahoma, from Harvest Church of Broken Arrow, Inc., and Acceptance of Temporary Construction Easements for Parcels 7.A and 7.C, consisting of 600 square feet and 2,122 square feet, respectively, for the 9th Street widening from New Orleans Street to Washington Street (Project No. ST23280)
- BA.** [26-823](#) Approval of BAZ-002810-2026, Garvin Rezoning, 3.33-acre, AG (Agricultural) to RS-C (Single-Family Residential - Compact) and abrogation of PUD-001983-2025, south of Albany Street (61st Street), one-third mile east of 23rd Street (193rd E. Avenue/County Line Road)
- BB.** [26-822](#) Approval of PT-002841-2026|PR-000809-2025, Conditional Final Plat, Harvest Church BA, approximately 4.56 acres, 1 Lot, AG (Agricultural) to CG (Commercial General) via BAZ-002238-2025, and SP (Specific Use Permit) 002459-2025, located at the northwest corner of New Orleans Street (101st Street) and 9th Street (177th E. Avenue/Lynn Lane Road)
- BC.** [26-965](#) Approval of PT-002870-2026|PR-000934-2026, Conditional Final Plat, Bintree Lift Station, 6.27 acres, 1 Lot, AG (Agricultural) and PUD-001983-2025, located one-eighth mile south of Albany Street (61st Street), one-third mile east of 23rd Street (193rd E. Avenue/County Line Road)

- BD.** [26-820](#) Acceptance of a Utility Easement, consisting of 13,153.16 square feet of permanent utility easement, and of a Temporary Construction Easement, consisting of 6,576.88 square feet of temporary construction easement located at 706 East New Orleans Street in Broken Arrow, Oklahoma, in the Southeast Quarter of Section 23, Township 18 North, Range 14 East, Tulsa County, Oklahoma, from Harvest Church of Broken Arrow, Inc., for the 9th Street widening from New Orleans Street to Washington Street Parcel 13.0 and 13.1 (Project No. S.26040)
- BE.** [26-871](#) Approval of and authorization of Final Acceptance for the public improvements at Peak Development Broken Arrow located at 2201 West Norfolk Drive
- BF.** [26-873](#) Ratification of the Claims List Check Register Dated June 08, 2026

6. Consideration of Items Removed from Consent Agenda

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

- A.** [26-573](#) Presentation of a Proclamation signed by the Mayor declaring support for the United States Semi-quincentennial
- B.** [26-725](#) Presentation and update of Broken Arrow's America 250th Birthday celebration activities
- C.** [26-821](#) Notification of road closure at the intersection of 9th (Lynn Lane) and Washington
- D.** [26-920](#) Presentation regarding fireworks enforcement in the City of Broken Arrow for 2026
- E.** [26-966](#) Approval of SP-002852-2026 (Specific Use Permit), Storm Family Accessory Structure, 13.19 acres, RS (Single Family Residential), located north of East New Orleans St (101st Street) and west of South 9th Street (Lynn Lane Road)
- F.** [26-967](#) Consideration, discussion, and possible approval of PUD-002802-2026 (Planned Unit Development), Advance Alarm, 0.52 acres, IL (Industrial Light), located south of Houston Street (81st Street) and east of 9th Street (177th E Avenue)

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)

9. General Council Business

- A.** [26-841](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No.1755, a Resolution of the Broken Arrow City Council adopting the Fiscal Year 2027 Annual Budget for the City in accordance with the provision of the Municipal Budget Act

- B.** [26-858](#) Consideration, discussion, and possible approval to modify the existing back-in parking configuration on Main Street between Washington Street and Houston Street
- C.** [26-956](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No 1756, a Resolution of Necessity to file a Claim in District Court against L.S. Multani, owner of Homewood Suites located at 4900 Madison Pl. Broken Arrow OK 74012 for failure to report and or pay Hotel Occupancy Tax owing for the period of July 2023 to April 2024, August 2024 and period February 2025 to April 2026
- D.** [26-860](#) Consideration, discussion, and possible approval of a Noise Ordinance waiver for Broken Arrow Lacrosse Club to host a 24-hour tournament on August 8, 2026, at Nienhuis Park
- E.** [26-818](#) Consideration, discussion, and possible approval of previously tabled item “Approval of and authorization to award Bid No. 26.148 Opioid Abatement utilizing funds from Opioid Abatement Settlement Fund, Project No. 2630410 to Omni Institute and approval of and authorization to execute Budget Amendment Number 30 for Fiscal Year 2026”
- F.** [26-889](#) Consideration, discussion, and possible approval to authorize execution of a five-year Master Service Agreement with Axon Enterprise, Inc. to provide integrated technology solutions, equipment, software, and support services for the Broken Arrow Police Department
- G.** [26-879](#) Consideration, discussion, and possible approval of award to the lowest responsible bidder, Cherokee Pride Construction Inc. and authorization to execute a construction contract for Liberty Trail Retaining Wall (Project No. SW26050)
- H.** [26-927](#) Consideration, discussion and possible approval of award to the lowest responsible bidder, Cherokee Pride Construction, Inc, and authorization to execute a construction contract for the 6th Street Widening project (ST1922)
- I.** [26-968](#) Consideration, discussion, and possible approval of PUD-002820-2026 (Planned Unit Development), Happy Hands, 1.16 acres, ON (Office Neighborhood), located north of Washington St (91st Street) and east of Garnett Road (113th E Ave)
- J.** [26-951](#) Consideration, discussion and possible appointment by the Mayor of an Alternate Judge for the Broken Arrow Municipal Court, and possible approval of and authorization to execute an Employment Contract for Professional Services as Alternate Judge for the City of Broken Arrow’s Municipal Court

- K.** [26-952](#) Consideration, discussion and possible reappointment of Dennis Sagely as Presiding Judge for the City of Broken Arrow Municipal Court, and possible approval of and authorization to execute an Employment Contract for Professional Services as Presiding Judge for the City of Broken Arrow’s Municipal Court, including a possible 3% adjustment in base rate of pay

10. Preview Ordinances

- A.** [26-839](#) Consideration, discussion, and possible preview of Ordinance No. 3919, an ordinance amending Chapter 16, Offenses-Miscellaneous, Article I, In General, Section 16-12, Disturbing the Peace, Subsection (a)(7), of the Broken Arrow Code of Ordinances, clarifying that the Rose District area noise exemption shall not apply to loud or explosive noises created by motor vehicle exhaust; repealing all ordinances to the contrary; and declaring an emergency
- B.** [26-840](#) Consideration, discussion, and possible preview of Ordinance No. 3920, an ordinance amending Chapter 23, Traffic, Article I, In General, Section 23-21, Use of mini-bikes, coasters, roller skates, etc., on roadways, of the Broken Arrow Code of Ordinances, prohibiting the operation of motorized scooters on public sidewalks and pedestrian-oriented public spaces within the Rose District; providing exceptions; repealing all ordinances to the contrary; and declaring an emergency
- C.** [26-901](#) Consideration, discussion, and possible preview of an ordinance closing a utility easement on property located south of West Florence Street (111th Street) and east of South Aspen Avenue (145th E Avenue), Tulsa County, State of Oklahoma, (Section 34, T18N, R14E); repealing all ordinances to the contrary; and declaring an emergency (EASE-002260-2025)
- D.** [26-902](#) Consideration, discussion, and possible preview of an ordinance closing a sanitary sewer easement on property located south of West Florence Street (111th Street) and east of South Aspen Avenue (145th E Avenue), Tulsa County, State of Oklahoma, (Section 34, T18N, R14E); repealing all ordinances to the contrary; and declaring an emergency (EASE-002261-2025)
- E.** [26-903](#) Consideration, discussion, and possible preview of an ordinance closing and vacating a utility easement on property located south of West Florence Street (111th Street) and east of South Aspen Avenue (145th E Avenue), Tulsa County, State of Oklahoma, (Section 34, T18N, R14E); repealing all ordinances to the contrary; and declaring an emergency (EASE-002262-2025)

- F.** [26-905](#) Consideration, discussion, and possible preview of an ordinance closing a water line easement on property located south of West Florence Street (111th Street) and east of South Aspen Avenue (145th E Avenue), Tulsa County, State of Oklahoma, (Section 34, T18N, R14E); repealing all ordinances to the contrary; and declaring an emergency (EASE-002263-2025)
- G.** [26-904](#) Consideration, discussion, and possible preview of Ordinance No. 3924, an Ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving PUD-002514-2025 (Planned Unit Development) and BAZ-002575-2025 (Rezoning), Pediatrics Plus, located just south of Washington St (91st Street) and just east of Aspen Ave (145th E Avenue), granting CG & AG zoning classifications upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- H.** [26-906](#) Consideration, discussion, and possible preview of Ordinance No. 3925, an Ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving PUD-002490-2025 (Planned Unit Development) and BAZ-002489-2025 (Rezoning), American Storage of BA, 24.9 acres, located west of the Creek Turnpike, east of North 37th Street (South 209th East Avenue), and north of East Houston Street (East 81st Street) granting CH & IL zoning classifications upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- I.** [26-910](#) Consideration, discussion, and possible preview of Ordinance No. 3926, an Ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-002505-2025 (Rezoning), Arrow Forge, 99.52 acres, AG (Agricultural) to IL (Industrial Light), located on the south side of Florence Street (111st Street) and one-quarter mile east of Olive Ave (129th E Avenue), granting IL (Industrial Light) zoning classification upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- J.** [26-911](#) Consideration, discussion, and possible preview of Ordinance No. 3927, an Ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-002238-2025 (Rezoning) and SP-002459-2025 (Specific Use Permit), Harvest Church, 6.45 acres, A-1 (Agricultural) to CG (Commercial General), located at the northwest corner of New Orleans Street (101st Street) and 9th Street (Lynn Lane Road), granting CG (Commercial General) zoning classification upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- K.** [26-933](#) Consideration, discussion, and possible preview of Ordinance No. 3930 amending the zoning ordinance for the City of Broken Arrow, Oklahoma, approving BAZ-002425-2025 and PUD-2428-2025 (Planned Unit Development), located at the northeast corner of the intersection of New Orleans Street (101st Street) and 9th Street (177th E Avenue/Lynn Lane), granting CG (Commercial General) zoning classification upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- L.** [26-934](#) Consideration, discussion, and possible preview of Ordinance No. 3931 amending the zoning ordinance for the City of Broken Arrow, Oklahoma, approving BAZ-002491-2025, located at the southwest corner of the intersection of Florence Street (111th Street) and Aspen Avenue (145th E Avenue), granting ON (Office Neighborhood) zoning classification upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- M.** [26-935](#) Consideration, discussion, and possible preview of Ordinance 3932 amending the zoning ordinance for the City of Broken Arrow, Oklahoma, approving BAZ-002200-2025, located just north and east of the northeast corner of the intersection of Washington Street (91st Street) and 9th Street (177th E Avenue/Lynn Lane), granting RS-4 (Single-Family Residential) zoning classification upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- N.** [26-936](#) Consideration, discussion, and possible preview of Ordinance 3933 amending the zoning ordinance for the City of Broken Arrow, Oklahoma, approving BAZ-002202-2025, located at the northeast corner of the intersection of Washington Street (91st Street) and 9th Street (177th E Avenue/Lynn Lane), granting CN (Commercial Neighborhood) zoning classification upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

11. Ordinances

- A.** [26-890](#) Consideration, discussion, and possible adoption of Ordinance No. 3921 closing a waterline easement on property located north of West Florence Street (111th Street), east of South Azalea Avenue (Mingo Road), Tulsa County, State of Oklahoma, (Section 34, T18N, R14E); repealing all ordinances to the contrary; and declaring an emergency (EASE-002530-2025)
- B.** [26-891](#) Consideration, discussion and possible approval of an emergency measure for Ordinance No. 3921; it being immediately necessary for the preservation of the public peace, health, safety, or welfare, an emergency is hereby declared to exist

- C. [26-892](#) Consideration, discussion, and possible adoption of Ordinance No. 3922 closing a detention easement on property located north of Houston Street (81st Street), east of 9th Street (Lynn Lane), Tulsa County, State of Oklahoma; repealing all ordinances to the contrary; and declaring an emergency (EASE-002736-2026)
- D. [26-893](#) Consideration, discussion and possible approval of an emergency measure for Ordinance No. 3922; it being immediately necessary for the preservation of the public peace, health, safety, or welfare, an emergency is hereby declared to exist
- E. [26-896](#) Consideration, discussion, and possible adoption of Ordinance No. 3923 vacating a ten-foot-wide restricted waterline easement on property located north of Houston Street (81st Street), east of 9th Street (Lynn Lane), Tulsa County, State of Oklahoma, repealing all ordinances to the contrary; and declaring an emergency (EASE-002737-2026)
- F. [26-897](#) Consideration, discussion and possible approval of an emergency measure for Ordinance No. 3923; it being immediately necessary for the preservation of the public peace, health, safety, or welfare, an emergency is hereby declared to exist
- G. [26-908](#) Consideration, discussion and possible adoption of Ordinance No. 3918, an ordinance amending Chapter 7, Business Regulations And Licenses, Article I - In General, of the City of Broken Arrow Code of Ordinances; specifically amending Section 7.3, Door-to-door peddler solicitation; restrictions, registration, penalties, to add the No-Knock List, License Revocation, and License Reinstatement Fee; repealing all ordinances to the contrary; and declaring an emergency
- H. [26-909](#) Consideration, discussion and possible approval of an emergency measure for Ordinance No. 3918; it being immediately necessary for the preservation of the public peace, health, safety, or welfare, an emergency is hereby declared to exist
- I. [26-937](#) Consideration, discussion and possible adoption of Ordinance No. 3929, an ordinance amending Appendix A - Zoning Ordinance, Chapter 6 - Code Administration, by adding a new Division 6-4, Data Center Moratorium; declaring a temporary moratorium on the acceptance, processing, and issuance of rezoning requests, specific use permits, conditional use permits, site plan reviews, building permits, and other development approvals for data center uses within the corporate limits of the City of Broken Arrow, Oklahoma; providing a definition of "Data Center"; providing exceptions, grandfathering provisions, and a hardship relief mechanism; providing for appeals; establishing the duration and automatic sunset of the moratorium; providing for severability; repealing all ordinances or parts of ordinances in conflict herewith; providing for an effective date and expiration date; and declaring an emergency

- J.** [26-938](#) Consideration, discussion and possible approval of an emergency measure for Ordinance No. 3929; it being immediately necessary for the preservation of the public peace, health, safety, or welfare, an emergency is hereby declared to exist

12. Remarks and Inquiries by Governing Body Members

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

14. Executive Session

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

1. A pending investigation and claim, including potential resolution, of a matter involving the tort claim of Tina Berryhill, Tort Claim No. TRT1825.2026, and taking appropriate action in open session, if any, under 25 O.S. §307(B)(4);

2. Litigation involving 3226 South Elm Place, LLC v. The City of Broken Arrow, Case No. CJ-2022-03344, including possible authorization to mediate and settle this lawsuit under 25 O.S. 307(B)(4). In the opinion of the City Attorney, the Council is advised that the Executive Session is necessary to discuss this litigation and disclosure will seriously impair the public body’s ability to litigate this matter. After conclusion of the confidential portion of executive session, the Council will reconvene in open meeting for appropriate action, if any.

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

15. Adjournment

NOTICE:

Please note that all items on this agenda may be approved, denied, amended, postponed, acknowledged, affirmed or tabled.

If you wish to speak at this evening's meeting, please fill out a "Request to Speak" form. The forms are available from the City Clerk's table or at the entrance door. Please turn in your form prior to the start of the meeting. Topics are limited to items on the currently posted agenda, or relevant business.

All cell phones and pagers must be turned OFF or operated SILENTLY during meetings.

Exhibits, petitions, pictures, etc., shall be received and deposited in case files to be kept at the Broken Arrow City Hall. If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

21 O.S. Section 280 provides the following:

A. It is unlawful for any person, alone or in concert with others and without authorization, to willfully disturb, interfere or disrupt state business or the business of any political subdivision, which includes publicly posted meetings, or any agency operations or any employee, agent, official or representative of the state or political subdivision.

B. It is unlawful for any person who is without authority or who is causing any disturbance, interference or disruption to willfully refuse to disperse or leave any property, building or structure owned, leased or occupied by state officials or any political subdivision or its employees, agents or representatives or used in any manner to conduct state business or any political subdivision's business or operations after proper notice by a peace officer, sergeant-at-arms, or other security personnel.

C. Any violation of the provisions of this section shall be a misdemeanor punishable by imprisonment in the county jail for a term of not more than one (1) year, by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

D. For purposes of this section, "disturb, interfere or disrupt" means any conduct that is violent, threatening, abusive, obscene, or that jeopardizes the safety of self or others.

A paper copy of this agenda is available upon request.

POSTED this ____ day of _____, _____, at _____ a.m./p.m.

City Clerk