



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

Tuesday, February 3, 2026

Time 6:30 p.m.

Council Chambers

1. Call to Order

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

2. Invocation

Pastor Chauncey Fourte led the Invocation.

3. Roll Call

Present: 5 - David Pickel, Justin Green, Lisa Ford, Johnnie Parks, Debra Wimpee

4. Pledge of Allegiance to the Flag

The Pledge was led by Council Member Justin Green

5. Consideration of Consent Agenda

- A. 26-3 Approval of the City Council Minutes of January 20, 2026
- B. 26-231 Approval of the City Council Special Minutes of January 12, 2026
- C. 26-222 Acceptance of Planning Commission meeting minutes of January 8, 2026
- D. 26-204 Acknowledgement of submittal of the revised Manual of Fees for Fiscal Year 2026
- E. 26-226 Approval of and authorization to execute Agreement, Gas Facilities Relocation, between Oklahoma Natural Gas and the City of Broken Arrow, for North Olive Avenue, between West Kenosha Street and West Albany Street (Project Number ST1710)
- F. 26-203 Approval of and authorization to execute Resolution No. 1735, a Resolution of Necessity to Condemn Property located at 4777 South 209th East Avenue, Broken Arrow, OK 74014, located in Section 29, Township 19 North, Range 15 East of the Indian Meridian, Tulsa County, Oklahoma, for the 37th Street Roadway Widening from Omaha Street to Dearborn Street, Parcel 8.0 (Project No. ST21390)
- G. 26-225 Approval of and authorization to execute Amendment No. 2 to the Master Service Agreement and Statement of Work No. 1 with Virta Medical P.C. effective February 1, 2026
- H. 26-227 Approval of and authorization to execute Interlocal Agreement between Wagoner County and the City of Broken Arrow for Identification of Responsibilities and Duties Regarding the Operations, Maintenance, Construction, and Financial Obligations for Public Rights of Ways
- I. 26-228 Approval of and authorization to execute Amendment No. 1 to the Mutual Law Enforcement Assistance Agreement between Wagoner County, Oklahoma, and City of Broken Arrow, Oklahoma
- J. 26-208 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
- K. 26-206 Approval of and authorization for purchase and installation of (9) HVAC Replacement Split Systems for the City of Broken Arrow Training Center Phase 2 Facility, from Trane Company pursuant to the OMNIA Partners Purchasing Cooperative
- L. 26-230 Approval of PUD 002550 2025 (Planned Unit Development) and BAZ 002374 2025 (Rezoning), D&B Processing, AG (Agricultural) to IL (Industrial Light)/PUD 002550 2025 and abrogation of PUD 193, 9.15 acres, located one half mile south of Washington Street (91st Street), one half mile east of the Creek Turnpike
- M. 26-233 Acceptance of a Utility Easement for Parcel 36.0, consisting of 8,750.02 square feet of utility easement, and a Temporary Construction Easement for Parcel 36.1, consisting of 14,000.03 square feet of temporary construction easement, located at 9201 South 193rd

East Avenue in Broken Arrow, Oklahoma, in the Southwest Quarter of Section 19, Township 18 North, Range 15 East, Wagoner County, Oklahoma, from Ryan Edward Brown, as Trustee of the Brown Antoshkiw Living Trust, dated October 21, 2024, and authorization of payment in the amount of \$6,609.00 for the County Line Trunk Sewer Phase IIB Sanitary Sewer Improvements, Parcels 36.0 and 36.1 (Project No. 2154250)

- N. 26-199 **Acceptance of a Utility Easement from Hackberry Market, LLC, on property located on the northeast corner of West Tucson Street (121st Street South) and South Aspen Avenue (South 145th East Avenue, Tulsa County, State of Oklahoma, (Section 34, T18N, R14E) (EASE 002529 2025)**
- O. 26-210 **Acceptance of a Water Line Easement from Regent Bank, on property generally located one quarter mile south of the southwest corner of W. Albany Street (61st Street) and Elm Place (161st E. Avenue), Tulsa County, State of Oklahoma, (Section 3, T18N, R14E) (EASE 002517 2023)**
- P. 26-211 **Ratification of the Claims List Check Register Dated January 26, 2026**

MOTION: A motion was made by Lisa Ford, seconded by David Pickel
Move to Approve Consent Agenda

The motion carried by the following vote:

Aye: 5 - David Pickel, 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. 26-219 **Presentation and discussion of public education efforts to provide information about the 2026 General Obligation Bond package to Broken Arrow citizens**

Aaron McColloch, Director of Communications, presented Item 26-219 and outlined the city’s public education campaign for the 2026 General Obligation Bond election, describing it as the result of more than two years of collaboration among city leaders, staff, and the community. The package includes seven property tax–funded propositions with no tax rate increase, plus a separate temporary half-cent sales tax proposition for sports facilities, totaling about \$468 million, with the election set for April 7, 2026. The city has launched a dedicated website, buildourfutureba.org, integrated into the My Broken Arrow app, and will use extensive digital outreach, traditional media, utility bill inserts, and targeted advertising. A significant focus will be on in-person engagement with HOAs, civic groups, schools, and community organizations during a 51-day push from mid-February through Election Day, along with four public forums across all wards to inform residents about the bond projects and their community impact.

Council discussion emphasized that residents can attend any bond public forum, not just the one in their ward, and the city will make that clear in its messaging. Mr. McColloch outlined additional outreach tools, including proposition-specific one-sheet handouts for meetings, durable “palm cards” with QR codes for events, and a new AI-powered “Go Bond Answer Line” that allows residents to call 24/7 with questions and receive automated answers or a staff callback if needed; the system will also help track common questions. Council members discussed promoting meetings through targeted call, text, or email notifications, and the city manager noted that a full schedule of presentations to HOAs, schools, sports groups, and community partners is being finalized, with coordination to comply with open meeting rules and ensure staff experts attend. Ongoing feedback from residents will be shared with council and staff, so messaging and answers can be continually refined throughout the campaign.

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. 26-202 **Consideration, discussion, and possible approval of and authorization to award to the lowest responsible bidder, Cherokee Pride Construction, Inc., a construction contract for 9th Street and Washington Street Intersection Improvements (Project No. ST2027 Phase 1)**

Travis Small, Transportation Division Manager, presented Item 26-202, the 9th Street and Washington intersection project, a transportation improvement funded through the 2018 General Obligation Bond. The project was designed with a consulting firm, advertised in December, and bids were opened on January 20. Six bids were received, with Cherokee Pride submitting the lowest responsible bid at about \$2.2 million, significantly below the engineer’s estimate of nearly \$2.7 million. Staff recommends approval of the award.

City Manager Michael Spurgeon clarified that this intersection project is part of the voter-approved 2018 bond improvements along Lynn Lane from 81st to 101st. Because railroad coordination near 81st could delay complete widening, the city is tackling the most critical bottleneck first by improving the intersection. Mr. Small confirmed the plan is to widen the

intersection in all directions, install a new traffic signal, add ADA and stormwater upgrades, and include turn lanes—there will not be a roundabout. City Manager Spurgeon said that over 70% of the 2018 bond projects are complete, and most remaining ones are in construction or design, with updates being prepared for the public. Council noted that without the 2018 bond approval, these road projects would not be happening.

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

Move to Approve Item 26-202 authorization to award to the lowest responsible bidder, Cherokee Pride Construction, Inc., a construction contract for 9th Street and Washington Street Intersection Improvements (Project No. ST2027 Phase 1)

The motion carried by the following vote:

Aye: 5 -

David Pickel, Justin Green, Lisa Ford, Johnnie Parks, Debra Wimpee

B. 26-207

Consideration, discussion, and possible approval of and authorization to pay additional funds to the Oklahoma Department of Transportation for award of the Broken Arrow Creek Trail Phase 2 Project to Crossland Heavy Contractors, Inc.

Charlie Bright, Director of Engineering and Construction, presented Item 26-207, Phase 2 of the Broken Arrow Creek Trail, which will extend the trail along New Orleans Street past the Freshman Academy and down First Street near the jail. The project is funded in part with federal grant money and is being administered by ODOT, so the city is not awarding the contract but must provide its committed local match. Bids came in higher than expected, exceeding the \$1.2 million federal cap, so the city's share must increase. Staff is requesting approval to transfer an additional \$468,362.20 from savings in completed projects to cover the shortfall and allow the trail project to proceed.

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

Move to Approve Item 26-207 authorization to pay additional funds to the Oklahoma Department of Transportation for award of the Broken Arrow Creek Trail Phase 2 Project to Crossland Heavy Contractors, Inc.

The motion carried by the following vote:

Aye: 5 -

David Pickel, Justin Green, Lisa Ford, Johnnie Parks, Debra Wimpee

C. 26-236

Consideration, discussion, and possible approval of and authorization to award the lowest responsible bid to Myers Cherry Construction, LLC, and approve and authorize execution of construction contract for Broken Arrow Fire Station #8 (Project No. 2435170)

Charlie Bright, Director of Engineering and Construction, presented Item 26-236, the construction award for a new north Broken Arrow fire station approved in the 2018 bond package, to be built near the training center at Omaha Street and 51st. The station is intended to improve emergency response times in the fast-growing northern part of the city. Ten bids were received, and staff recommends awarding the project to Myers-Cherry Construction, the second-lowest bidder, because the top two bids were within 1% of each other. Mr. Bright explained that state law requires awarding to the "lowest responsible bidder," and city ordinances and bid documents allow consideration of past performance and which contractor will best ensure efficient project completion. Based on prior experience with both firms, the staff determined that Myers-Cherry was the more responsible and advantageous choice for the city, even though it was not the absolute lowest price.

Ascend Commercial Builders owner Tyler Detring stated that his company was the apparent low bidder for Fire Station No. 8 and fully complied with all bid requirements. He said Ascend was later informed that the city intended to recommend the second-lowest bidder due to open warranty items from a previous city project, but he argued those items are minor, routine, and currently being addressed and do not affect facility operations. Dietring noted that after substantial completion of that earlier project, retainage was paid and, during a November meeting requested by Ascend for feedback, city representatives raised no concerns and indicated they would work with Ascend again. He emphasized Ascend's experience with comparable public safety facilities and contended that unresolved warranty items do not justify bypassing the lowest responsible bidder, asking the council to reconsider the recommendation.

Mr. Bright responded that the city does not have a "contractor of choice". He rejected any implication of improper favoritism, emphasizing that staff follow state law, city ordinances, and bid documents with integrity. He said the recommended contractor was not previously selected in another recent city project where the city had complete discretion, demonstrating there is no preferred contractor. Bright explained that while both bidders were close in price, staff judged the second-lowest bidder to be more responsible based on overall past performance. He clarified that concerns with Ascend are not limited to minor warranty items but also include issues during construction, many of which arose after a November meeting when no concerns were raised. He said staff documented these matters and is willing to provide further details, maintaining that the recommendation is based on responsibility and the city's best interest, not preference.

MOTION: A motion was made by Lisa Ford, seconded by David Pickel
Move to Approve Item 26-236 authorization to award the lowest responsible bid to Myers Cherry Construction, LLC, and approve and authorize execution of construction contract for Broken Arrow Fire Station #8 (Project No. 2435170)

The motion carried by the following vote:

Aye: 5 -

David Pickel, Justin Green, Lisa Ford, Johnnie Parks, Debra Wimpee

D. 26-232

Consideration, discussion, and possible approval of BAZ 002565-2025 (Rezoning), Oneta 71, LLC, approximately 16.875 acres, from AG (Agricultural) to CG (Commercial General) located approximately one tenth mile north of the northwest corner of E. Kenosha Street (71st Street) and Oneta Road (241st E. Avenue)

Rocky Henkel, Director of Community Development, presented Item 26-232, a rezoning request (BAZ-2565-2025) to change approximately 8.8 acres at the northwest corner of Kenosha and Oneta from agricultural to commercial general for future commercial development. He noted the council had already approved a comprehensive plan amendment for the site to align with nearby commercial tracts. A 94-page traffic impact analysis found no change in peak-hour level of service, and the plan includes right-in/right-out access on Kenosha to direct left turns to the signalized intersection. No one spoke for or against the request at the Planning Commission, which recommended approval 4-0, and staff also recommended approval subject to platting, with the applicant's representative available for questions.

Council discussion focused on traffic access. Council members stated that concern remains about Oneta Road, which they believe cannot handle delivery trucks. They noted that the conceptual site plan still shows two access points on Oneta, even though she previously understood access would be from Kenosha/71st only. Mr. Henkel clarified that the plan shown is conceptual and that detailed access and engineering would be addressed later in the development process if rezoning is approved, and said the applicant would need to respond to specific site plan questions. Council then asked for the applicant's representative to come forward to address those concerns.

Natalie Cornett, representing the developer, Eller and Dietrich, said the site plan shown is conceptual, but the intent is to include access from Oneta Road. She noted the exact number and placement of those driveways could change during engineering, but the traffic impact analysis evaluated two Oneta drives plus one on Kenosha. According to the study, Oneta currently operates at Level of Service A or B, and it is projected to remain at those levels even with the development fully built out. She acknowledged that traffic patterns and the visual character of the corner will change, but said the analysis shows no degradation in service. She added that during planning and engineering, the developer will comply with any additional city requirements to ensure safe traffic movement.

Council discussion focused on traffic, lighting, and road capacity concerns tied to the proposed commercial rezoning. It was emphasized that light spill and neighborhood impacts should be addressed later in the engineering stage, noting that staff are aware of existing code requirements for lighting, noise, and related standards. Questions arose about jurisdiction over Oneta Road, which staff confirmed is a city street and classified, along with Kenosha, as a primary arterial.

Several councilors expressed concern that Oneta currently feels substandard for heavy truck traffic. While the traffic impact analysis indicated no drop in level of service, Assistant City Manager Kenny Schwab clarified that the TIA has not yet undergone a whole city engineering review and that they do not fully agree with all its conclusions. Engineering staff indicated deceleration lanes on Oneta and a left-turn lane on Kenosha may ultimately be required, even if not shown in the conceptual plan. They stressed that zoning approval does not lock in the final design. That detailed traffic, access, and roadway improvements will be addressed during engineering and platting, with the conditional final plat returning to the council for final approval.

City Manager Michael Spurgeon added that funding mechanisms exist to partner on necessary roadway improvements within the right-of-way and suggested any approval should ensure Oneta can safely handle projected traffic. Staff reiterated that additional public input could still occur in later phases and clarified that, while opposition spoke at the comprehensive plan stage, no one spoke for or against the rezoning at the Planning Commission.

Colten Jay, a resident of 6975 South 241st East Avenue, near the site to the east, spoke in opposition and requested changes to the proposed commercial development. His primary concern is truck traffic on Oneta Road, which he believes is not suitable for semi-trucks. He asked that the northern driveway be removed and that truck access instead be routed to an entrance on the southwest side near the power substation, allowing trucks to circulate behind the building and avoid residential frontage.

He also requested substantial landscaping buffers along the east property line next to homes,

including berms and large evergreen trees, to block headlights and reduce light intrusion. While he supports larger canopy trees in the parking lot to shield light, he remains concerned about overall lighting impacts.

Finally, he raised stormwater concerns, noting that the added impervious surface could worsen runoff during heavy rains and contribute to flooding in nearby areas. He asked the city to consider installing a detention pond or a similar drainage system to better manage stormwater from the site.

Mr. Henkel explained that the city's zoning ordinance already requires specific landscaping standards, including tree and shrub types, sizes, and spacing, which would be enforced later in the development process if the project moves forward. He said stormwater management would also be addressed during engineering review, emphasizing that development cannot negatively impact neighboring properties. Whether a detention pond or other drainage solution is required will be determined by the city's stormwater engineers at that stage. Mayor Wimpee added that, based on the anticipated user's identity, they expect the developer to make a good-faith effort to address neighborhood concerns and be a good neighbor.

MOTION: A motion was made by Johnnie Parks, seconded by David Pickel
Move to Approve BAZ 002565-2025

The motion carried by the following vote:

Aye: 5 -

David Pickel, Justin Green, Lisa Ford, Johnnie Parks, Debra Wimpee

E. 26-234

Consideration, discussion, and possible approval of PUD 002514-2025 (Planned Unit Development) and BAZ 002575-2025 (Rezoning), Pediatrics Plus, 14.55 acres, RS (Residential Single Family) and RM (Residential Multi Family) to AG (Agricultural) and CG (Commercial General), located just south of Washington St (91st Street) and just east of Aspen Ave (145th E Avenue)

Rocky Henkel, Director of Community Development, presented Item 26-234, a proposed Planned Unit Development that would establish a therapeutic farm on 14.5 acres south of Washington Street and east of Aspen Avenue. The related rezoning would divide the property, with about 7.9 acres changing to Commercial General and roughly 6.5 acres to Agricultural to accommodate the farm operations at the rear. The PUD also requests that the internal buffer-yard landscaping requirements be waived between zoning areas within the site. Surrounding properties are primarily zoned single-family residential, with multifamily zoning to the east, and most nearby land is currently vacant except for homes to the north. The Planning Commission held a public hearing on January 8, 2026, approved both the PUD and rezoning unanimously, and received no public comments. Staff likewise recommends approval, and the property owners are present to provide details about the project.

David Tapp, co-founder of the Pediatrics Plus Farm, explained that the project is a therapeutic farm concept developed by his wife and operated by their company, which has provided pediatric occupational, physical, speech, and autism therapies for about 24 years. Inspired during COVID, the farm model blends therapy with hands-on agricultural activities for children with autism and special needs. They currently operate four such farms in Arkansas, with more opening soon, plus another location in Tahlequah, Oklahoma, making this proposed Broken Arrow site their second in the state.

Children would attend Monday through Friday, roughly 8:00 a.m. to 5:00 p.m., with staggered drop-off and pickup times, resulting in light traffic—generally only a handful of cars at any given time. The front, commercially zoned portion of the site would include a farmhouse-style therapy facility. At the same time, the rear agricultural area would house small-scale farm elements such as chickens, a couple of donkeys and sheep, a garden, and a greenhouse. The goal is to integrate therapy with real-world tasks like collecting eggs, growing vegetables, baking, and interacting with the community, helping children build life skills and a sense of belonging.

Mr. Tapp shared that the therapeutic farm concept was originally a personal experiment near his home. Still, it has proven highly successful in Arkansas, giving them confidence to expand into Broken Arrow. The farm will have about 25 chickens (no roosters), with eggs often shared with participating families, reinforcing the program's community-focused, home-like atmosphere. Lighting will be kept minimal to maintain a farmhouse feel rather than a medical setting, while still meeting city safety standards. No one will live on-site; operations run only on weekdays, with a farmhand caring for the animals and checking on them as needed during severe weather.

The facility will include a barn with stalls and a small office area, allowing children to interact safely with animals such as donkeys and sheep as part of their therapy. Council members noted the well-documented benefits of animal-assisted therapy for children with autism and other special needs, and expressed strong support. Mr. Tapp confirmed there will be no exotic animals, only small farm animals within ordinance limits. Overall, the discussion highlighted

the project as a compassionate, community-oriented resource that blends therapy, agriculture, and life-skill development in a low-impact setting.

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

Move to Approve Item 26-234 approval of PUD 002514-2025

The motion carried by the following vote:

Aye: 5 -

David Pickel, Justin Green, Lisa Ford, Johnnie Parks, Debra Wimpee

10. Preview Ordinances

A. 26-229 **Consideration, discussion, and possible preview of Ordinance No. 3905 Amending Chapter 7, Article XVII (Short Term Rental); Definitions, Operating Standards, Platform Duties, Owner Cap, Enforcement & Appendix Checklist**

Trevor Dennis, City Attorney, presented Item 26-229, proposed updates to the city's short-term rental ordinance, explaining that the revisions are substantial and focused primarily on life-safety and policing concerns. The changes are not routine housekeeping updates—Police Chief Arnold specifically requested them following coordination with Community Development due to real incidents at short-term rental properties.

Before detailing the ordinance revisions, Mr. Dennis deferred to the Police Chief to describe critical incidents involving short-term rentals, which serve as the policy basis for the proposed amendments. The intent is to help Council understand that the updates are driven by public safety, enforcement challenges, and impacts on residents, rather than administrative preference.

Police Chief Lance Arnold explained that the proposed changes to the short-term rental ordinance stem from repeated public safety incidents at rental properties over the past year. While not constant, the calls have been severe enough to warrant concern, including situations involving firearms, large and loud parties, reckless driving, fights, and disturbances, many of them involving teenagers and juveniles from out of town. In several cases, an adult rented the property, and it became a gathering site for youths from multiple cities, which escalated into violence.

A significant challenge for officers has been identifying and reaching property owners, who are often non-local and unresponsive, especially during late-night incidents. Short-term rental platforms have also provided little assistance during emergencies. Chief Arnold noted that the current ordinance focuses more on community development than on enforcement, leaving gaps in clearly defined authority and consequences for violations.

To address this, the Police Department asked the City Attorney's Office and Community Development to help create stronger, clearer tools for enforcement. Staff reviewed ordinances from other cities—including Norman, Oklahoma; Plano, Texas; and Lincoln, Nebraska—and used those models to help craft the revised ordinance now before Council, with the goal of improving accountability, responsiveness, and neighborhood safety.

Mayor Wimpee debated proposed updates to the short-term rental ordinance aimed at improving safety and enforcement after incidents involving large parties, juveniles, firearms, and disturbances at permitted rentals. Police Chief Arnold said the problem is not the initial police response but the apparent lack of authority to hold owners accountable afterward, especially when owners are out of town and unreachable. Staff recommended measures, including requiring a local responsible agent, clearer suspension and revocation powers, monitoring tools, and a \$1 million liability insurance requirement. Mayor Wimpee questioned whether the insurance mandate unfairly burdens responsible owners and argued that individuals should decide their own coverage. In contrast, others noted the cost is typically modest and helps protect the public in catastrophic situations. Council members agreed officers need stronger enforcement tools and supported the ability to suspend or revoke permits. Still, they indicated more discussion is needed—particularly on insurance, taxes, and overall impacts—before adoption.

Sheri Pohlman, who operates two small short-term rental cottages on her own property, spoke in opposition to parts of the proposed ordinance changes. She emphasized that she is an on-site owner, a highly rated "super host," and actively monitors her rentals, saying she already addresses noise and guest behavior immediately and does not see the need for additional monitoring devices in her situation. Her primary concern was the proposed \$1 million liability insurance requirement, which she said would financially strain small operators who already face rising costs and limited ability to increase rates. She also questioned a provision that appears to require notifying neighboring property owners each time a license is renewed, arguing that annual repeated notices are unnecessary, given that neighbors were already informed and approved when the permit was first issued.

The discussion focused on whether short-term rental operators should have to notify neighbors at every license renewal. Sheri Pohlman questioned the requirement, saying annual notices to

the same neighbors felt unnecessary and could invite petty complaints, primarily since she has operated without issues for years. It was clarified that the ordinance section applies to license applications and that the mailing requirement can be explained so that it does not automatically apply to renewals. However, the council could choose to include it so that new neighbors are informed, and existing neighbors have a formal opportunity to raise concerns. Council members noted that a renewal notice could serve as a checkpoint if there have been repeated problems, while also acknowledging concerns about unfair complaints from new residents unaware that they moved next to an established rental. The conversation broadened to whether owner-occupied, small-scale rentals should be treated differently, but staff cautioned that creating different regulatory classes could raise consistency and defensibility issues. Council showed interest in gathering better data on how many rentals are owner-occupied and in refining the ordinance language. Rather than moving forward immediately, the body agreed that the issue needs deeper review in a dedicated work session, with staff to schedule further discussion and return with revised options.

No action taken.

11. Ordinances

- A. 26-223 **Consideration, discussion, and possible re-adoption of Ordinance No. 3901, an ordinance amending Section 16 12 of the Broken Arrow Code of Ordinances to add a new subsection addressing noise generated by places of public assembly located near residential property; Providing for severability; and declaring an emergency (procedural re-adoption due to publication oversight)**

Trevor Dennis, City Attorney, presented Item 26-223, and explained that Ordinance No. 3901, previously approved by council in December 2025, established content-neutral, objective standards for amplified music at places of assembly. However, due to an administrative oversight, the ordinance was not published within the required legal timeframe, which prevented it from taking effect. The item is being brought back solely so the council can re-adopt the ordinance and allow proper publication, with no substantive changes to its content.

MOTION: A motion was made by Lisa Ford, seconded by David Pickel
Move to Approve re-adoption of Ordinance No. 3901

The motion carried by the following vote:

Aye: 5 - David Pickel, Justin Green, Lisa Ford, Johnnie Parks, Debra Wimpee

- B. 26-224 **Consideration, discussion, and possible approval of an emergency clause for Ordinance No. 3901; it being immediately necessary for the preservation of the public peace, health, safety, or welfare, an emergency is hereby declared to exist**

MOTION: A motion was made by Lisa Ford, seconded by Johnnie Parks
Move to Approve an emergency clause for Ordinance No. 3901

The motion carried by the following vote:

Aye: 5 - David Pickel, Justin Green, Lisa Ford, Johnnie Parks, Debra Wimpee

12. Remarks and Inquiries by Governing Body Members

City leaders shared updates and appreciation during closing remarks. The mayor noted attending the State of the State at the Capitol and a recent U.S. Conference of Mayors trip, bringing back information to share with the council. Councilor Ford emphasized the importance of citizen engagement, noting that agenda items like the short-term rental discussion often receive little feedback unless residents actively follow meetings or sign up for city agenda notifications, thereby encouraging greater public involvement. Councilor Pickel praised city crews for their exceptional snow and ice response, noting that Broken Arrow's road conditions compared favorably with those of other cities.

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

City Manager Michael Spurgeon expressed gratitude to multiple departments—including streets, emergency management, communications, utilities, and acting leadership—for their preparation and response to winter weather, as well as to local churches that offered warming shelters. Staff will follow up on whether those shelters were utilized. He also addressed traffic concerns raised after a large special meeting at NSU Broken Arrow, noting that, with university growth and the upcoming amphitheater, the city's traffic committee is monitoring conditions and evaluating potential future traffic control needs along the corridor, and that long-term planning is already underway.

At 8:04 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 Johnnie Parks, seconded by Lisa Ford
Move for a recess for BAMA and BAEDA

The motion carried by the following vote:

Aye: 5 - David Pickel, Justin Green, Lisa Ford, Johnnie Parks, Debra Wimpee

MOTION: A motion was made by Johnnie Parks, seconded by Lisa Ford
Move to clear the room for Executive Session

The motion carried by the following vote:

Aye: 5 - David Pickel, Justin Green, Lisa Ford, Johnnie Parks, Debra Wimpee

At 8:14 p.m., the room was cleared for Executive Session.

MOTION: A motion was made by Lisa Ford, seconded by Johnnie Parks
Move to enter Executive Session

The motion carried by the following vote:

Aye: 5 - David Pickel, Justin Green, Lisa Ford, Johnnie Parks, Debra Wimpee

At 8:18 p.m. City Council entered into Executive Session

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 Adams Creek NW Forcemain, and taking appropriate action in open session, if any, under 25 O.S. §307(B)(4);**

MOTION: A motion was made by Johnnie Parks, seconded by Lisa Ford
Move to authorize the city attorney to settle the claims involving Holloway, updike and Bellan, inc. and Premium Land, LLC, related to the Adams Creek Northwest Force Main, as recommended by the city attorney

The motion carried by the following vote:

Aye: 5 - David Pickel, Justin Green, Lisa Ford, Johnnie Parks, Debra Wimpee

MOTION: A motion was made by Johnnie Parks, seconded by Lisa Ford
Move to find executive session was necessary to process the pending claims and potential litigation.

The motion carried by the following vote:

Aye: 5 - David Pickel, Justin Green, Lisa Ford, Johnnie Parks, Debra Wimpee

15. Adjournment

The meeting was adjourned at 8:37 p.m.

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

The motion carried by the following vote:

Aye: 5 - David Pickel, Justin Green, Lisa Ford, Johnnie Parks, Debra Wimpee

Mayor

City Clerk