



City of Broken Arrow

Minutes

City Council 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

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Tuesday, August 15, 2023	Time 6:30 p.m.	Council Chambers
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1. Call to Order
- Mayor Debra Wimpee called the meeting to order at approximately 6:30 p.m.
2. Invocation
- Pastor Rich Manganaro performed the invocation.
3. Roll Call
- Present: 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee
4. Pledge of Allegiance to the Flag
- Council Member Justin Green led the Pledge of Allegiance to the Flag.
5. Consideration of Consent Agenda
- Mayor Wimpee indicated Item B was to be pulled for discussion. She asked if there were any other Items to be removed from the Consent Agenda; there were none.
- MOTION: A motion was made by Christi Gillespie, seconded by Johnnie Parks.
- Move to approve the Consent Agenda less Item B
- The motion carried by the following vote:
- Aye: 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee
- A. 23-49 Approval of the City Council Meeting Minutes of July 31, 2023
- B. 23-1099 Notification of first quarter results of the implementation of the Safe Hotels Ordinance
- C. 23-1093 Approval of and authorization to execute Budget Amendment Number 5 for Fiscal Year 2024
- D. 23-1049 Approval of and authorization to execute Resolution No 1543, a Resolution of the Broken Arrow City Council approving the Fiscal Year 2024 Manual of Fees, establishing fees costs charged by the City of Broken Arrow: authorizing the periodic adjustment and waiver of fees by the City Manager; providing an effective date of October 1, 2023
- E. 23-1079 Ratification of demand for jury trials filed in City condemnation proceedings in Wagoner County District Court for cases styled City of Broken Arrow v. Thomas & Ruth Bryan, CJ-2023-00034; City of Broken Arrow v. Jack Edward Beighle, CJ-2023-00035
- F. 23-1055 Approval of and authorization to execute an engagement letter with Arledge & Associates, PC for fiscal year ending June 2023
- G. 23-1070 Approval of and authorization to execute Agreement for Professional Consultant Services with Garver, LLC for providing design services on the 9th Street Widening from New Orleans Street to Washington Street project (Project Number ST23280)
- H. 23-1047 Approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and Hovey Williams, LLP, Attorneys and Counselors at Law for providing counsel and legal advice regarding Trademark issues
- I. 23-1035 Approval of and authorization to execute the First Amendment to the Memorandum of Understanding between the Indian Nation Council of Government (INCOG) and City of Broken Arrow, Oklahoma
- J. 23-1034 Ratification of the motorcycle safety grant application and agreement for fiscal year 2023-2024 with the Oklahoma Highway Safety Office
- K. 23-1031 Ratification of the general traffic enforcement grant application and agreement for fiscal year 2023-2024 with the Oklahoma Highway Safety Office
- L. 23-1072 Approval of and authorization to execute a Professional Consultant Agreement with Selser Shaefer Architects for the Construction Design of the Public Safety Complex Phase II Project (Project No. 191711)
- M. 23-1063 Approval of and authorization to execute Amendment No. 1 to the Professional Consultant Agreement with WSKF, INC. for the Master Plan of the Public Safety Training Campus (Project No. 2235130)
- N. 23-1071 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

- O. 23-1032 Approval of and authorization to execute a purchase agreement with Dell for the purchase of Dell Latitude laptops, adapters and docking stations pursuant to the NASPO ValuePoint Cooperative Purchasing Organization
- P. 23-1038 Approval of and authorization to execute a purchase agreement with Dell for the purchase of Dell Latitude laptops pursuant to the NASPO ValuePoint Cooperative Purchasing Organization
- Q. 23-1006 Approval of and authorization to purchase practice and duty ammunition from Precision Delta, pursuant to the Oklahoma Statewide Contract
- R. 23-1040 Approval of and authorization to purchase hardware, software from Presidio Network Systems to upgrade the core data center network, pursuant to the Oklahoma Statewide Contract
- S. 23-1033 Approval of and authorization to purchase ten (10) Street Sentry standalone License Plate Reading Cameras, solar panels, batteries, and installation from Selex ES Inc, a sole source vendor through Busch and Associates LLC
- T. 23-1041 Approval of and authorization to purchase one (1) 2023 Ford F150 Crew Cab Pickup from Vance Ford, pursuant to the Oklahoma Statewide Vehicle Contract
- U. 23-1042 Approval of and authorization to purchase one (1) ½ Ton Extended cab pickup truck from Vance Ford, pursuant to the Oklahoma Statewide vehicle contract, for the Police Department
- V. 23-1052 Award of the Sole Source purchase of Iteris, Inc. Video Detection Systems for the Traffic Division of the Streets and Stormwater Department
- W. 23-1096 Award the most advantageous bid to Crown USA Incorporated for Traffic Paint for the Streets and Stormwater Department
- X. 23-1098 Award the most advantageous bid to Hutchinson Salt Co. for the purchase of Medium Road Salt with YPS (Yellow Prussiate of Soda) for the Streets and Stormwater Department
- Y. 23-1090 Approval of and authorization to award the lowest responsible bid to Magnum Construction Inc, and approve and authorize execution of a construction contract for the BA Rose District Parking Lot (Project No. 2317230)
- Z. 23-1064 Notification of City Manager's authorization to forego the Competitive Bid Act and authorizing staff to receive quotes up to the statutory limit with a Contract value of \$100,000 or less
- AA. 23-1065 Notification of a reduction in cost for Change Order No. 3 with Becco Contractors, Inc., for Oklahoma Department of Transportation project No. STP-272F(367)IG, JP# 33955(04) (City of Broken Arrow project No. ST1411, Albany Street Widening from 9th Street to 23rd Street)
- AB. 23-1077 Approval of BAZ-000864-2023 (Rezoning) A-1 to CG (Commercial General), and IL/PUD-000865-2023 and PUD-000865-2023 (Planned Unit Development), Iron Buck Acres, 7.38 acres, on the northwest corner of Kenosha Street (71st Street) and Oneta Road (241st East Avenue)
- AC. 23-1078 Approval of BAZ-000906-2023 (Rezoning), Reed Rezoning, 22.69 acres, A-1 (Agricultural) to RS-1 (Single-Family Residential), located one-quarter mile north of Washington Street (East 91st Street South), west of 23rd Street (193rd E. Avenue/County Line Road)
- AD. 23-1069 Approval of PT-000852-2023 | PR-000289-2023, Conditional Final Plat, Brook Chase-Phase II, 16.27 acres, 72 lots, A-1 (Agricultural) to RS-4 (Single Family Residential), west of the northwest corner of Washington Street (91st Street) and 23rd Street (193rd E. Avenue/County Line Road)
- AE. 23-1076 Approval of PUD-000863-2023 (Planned Unit Development), Broken Arrow Rowhouse, 0.34 acres, DF (Downtown Fringe), one-half mile north of West Washington Street (91st Street), one-half mile east of South Elm Place (South 161st East Avenue)
- AF. 23-1073 Acceptance of an Overland Drainage Easement from Precision Equity, LLC, on property located at the northwest corner of Florence Street (111th Street) and Aspen Avenue (145th East Avenue) Tulsa County, State of Oklahoma, (Section 28, T18N, R14E)(EASE-000950-2023)
- AG. 23-1074 Acceptance of a Utility Easement from Precision Equity, LLC, on property located at the northwest corner of Florence Street (111th Street) and Aspen Avenue (145th East Avenue) Tulsa County, State of Oklahoma, (Section 28, T18N, R14E)(EASE-000949-2023)
- AH. 23-1075 Approval of appointments to the Subdivision Regulation Update Committee
- AI. 23-1043 Approval of the nomination and re-appointment of Donna Wallace to the Broken Arrow Drainage Advisory Committee with a term expiring September 3, 2027
- AJ. 23-1044 Approval of the nomination and re-appointment of Donna Wiedower to the Broken Arrow Drainage Advisory Committee with a term expiring September 3, 2027
- AK. 23-1057 Approval of the nomination and re-appointment of Lori Hendricks to the Broken Arrow Drainage Advisory Committee with a term expiring September 3, 2027
- AL. 23-1058 Ratification of the Claims List Check Register Dated August 07, 2023

## 6. Consideration of Items Removed from Consent Agenda

Mayor Wimpee read Item B: “Notification of first quarter results of the implementation of the Safe Hotels Ordinance.”

Officer Michael Peale indicated his power point presentation would demonstrate the first quarter results of the Safe Hotels Ordinance. He explained how the data was gathered and calculated. He stated the Police Department determined a rate of calls below 0.6 was acceptable, any rate above 0.6 was unacceptable. He displayed and discussed a graph listing the rate of calls for hotels in the year prior to establishment of the Safe Hotels Ordinance, the rate of calls for hotels after establishment of the Ordinance, and a projection of calls for the year. He reported all but one hotel decreased the number of calls for service and only one hotel was over a 0.5 rate. He reported so far, the Ordinance was effective, but it was a learning process still and the results would vary over time. He displayed and discussed a chart illustrating the results from the Fire Departments’ perspective in terms of fire inspections which were positive as well. He noted at this point all 14 hotels had passed the fire and life safety inspections.

Code Enforcement Officer Joe Williford reported Code Enforcement was tasked with property inspections of the 14 hotels. He stated upon initial inspection, only two hotels passed; however, since then, three more passed and Code Enforcement was working with nine others to bring the hotels into compliance. He noted typically hotels were inspected on a complaint basis and some hotels had costly and time consuming repairs to make before achieving compliance. He discussed how the hotels were contacted regarding the new inspection requirements. He noted three hotels changed ownership following inspection and the new owners were contacted and brought up to speed. He reviewed the process of inspections for the various hotels, the process for bringing hotels into compliance, and the consequences for not coming into compliance.

Council Member Ford asked if the items of noncompliance were dangerous to the safety of the public or cosmetic.

Mr. Williford responded much of the noncompliance was cosmetic, such as potholes in parking lots, broken sidewalks, parking lot striping, painting, minor repairs, etc.

Vice Mayor Christi Gillespie noted potholes and broken sidewalks sounded like ADA issues.

Mr. Williford responded it depended upon whether the issues affected the required accessible entrances.

City Manager Michael Spurgeon noted the City would work with the hotels as long as the hotels were working with the City to come into compliance. He noted if the hotels continued to make the necessary repairs, as there were expenses related to such repairs, the City would be patient and give the hotels ample opportunity to address the concerns.

Mayor Wimpee thanked Code Enforcement, the Police, and Fire for enforcing this new Ordinance as it made the City and hotels safer and created a better atmosphere for residents and visitors alike.

Vice Mayor Gillespie asked if the larger more nationwide hotels were quicker to cooperate with inspections and other requirements.

Mr. Williford responded the hotels which came into compliance more quickly were the newer hotels and the hotels which were taking longer were the older hotels which were in more disrepair.

Council Member Johnnie Parks asked if Code Enforcement inspected the insides of the buildings.

Mr. Williford explained the Fire Marshall inspected the insides of buildings; Code Enforcement conducted exterior property maintenance inspections. He stated next year Code Enforcement would team up with the Fire Department to conduct inspections for property maintenance and building code compliance.

Vice Mayor Gillespie asked if it was anticipated next year’s inspections would be a simpler process as this was the first year of annual inspections.

Mr. Williford responded in the affirmative.

Council Member Ford noted she felt, if the hotels understood the City was going to be conducting annual inspections, then the hotels would work more diligently to remain in good repair.

Council Member Justin Green thanked Code Enforcement, Police and Fire for their efforts.

He stated the City was working to bring in new development and visitors to the City and it was important for visitors to have a safe place to stay.

Council Member Ford stated she felt this new endeavor was a success.

Officer Peale stated learning the shortcomings which were previously unknown and decreasing the liability to the City was alone worth the effort. He stated any time a property was improved it was a success.

MOTION: A motion was made by Christi Gillespie, seconded by Justin Green.

**Move to approve Consent Agenda Item B**

The motion carried by the following vote:

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

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

**A. 23-1082 Presentation regarding road closures of East Houston and South Main streets in association with the Performing Arts Center Main Street from Railroad to PAC Waterline Improvements Project**

Acting Director of the Utility Department Jerry Hanewinkel reported he would discuss the road closures of East Houston and South Main streets. He explained the project would replace an old 8 inch cast iron water main with a new 12 inch PVC water main which would increase reliability and water quality. He stated the proposed road closures would allow City of Broken Arrow crews to safely complete the underground water main crossing of Houston Street from north to south on the west side of Main Street and the crossing of Main Street from west to east on the south side of Houston Street. He stated the road closures would take effect at Main and Houston Streets with detour routes being implemented to shift traffic accordingly and was incorporated within the associated Road Closure Permits. He reported the road closures would be implemented between 9:00 p.m. and 5:00 a.m. on the nights of August 21 through August 24, 2023. He indicated traffic signs, and a message board, would be placed in the roadway prior to closures alerting the traveling public of the pending detours.

**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)**

Mayor Wimpee indicated no Citizens signed up to speak.

**9. General Council Business**

**A. 23-1028 Consideration, discussion, and possible approval of a list of the City of Broken Arrow's priorities to present during the Broken Arrow Chamber Fly-In event in Washington, DC September 27-28, 2023**

City Manager Spurgeon reported before City Council was the 2023 Legislative Agenda, the document outlining the priorities identified by City Council to share with the Legislators in Washington DC. He noted a couple of these items had been addressed, such as the funding for improving interchanges at Elm Place, Highway 51, Lynn Lane, with a grant received, as well as the City's ongoing efforts to be added to ODOT's 8-Year Plan. He asked if City Council had any items to add to the Legislative Agenda.

Mayor Wimpee stated she had nothing to add.

Council Member Ford asked if the City was still having difficulty with the supply chain.

City Manager Spurgeon responded in the affirmative.

Council Member Ford indicated she had nothing to add.

City Council had nothing to add to the Legislative Agenda.

City Manager Spurgeon asked for approval of the list, and indicated he would ensure it was updated appropriately prior to visiting Washington DC.

MOTION: A motion was made by Lisa Ford, seconded by Christi Gillespie.

**Move to approve the list of the City of Broken Arrow's priorities to present during the Broken Arrow Chamber Fly-In event in Washington, DC September 27-28, 2023**

The motion carried by the following vote:

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

**B. 23-1061 Consideration, discussion, and possible direction regarding the permitting and discharging of fireworks within the City of Broken Arrow, including enforcement by the City's first responders and a possible special election governing the discharge of fireworks within City limits**

Assistant City Manager of Administration Norm Stephens reported in late 2005, early 2006 he was asked to head a Committee to consider the fireworks issue in the City of Broken Arrow. He stated on this Committee were veterinarians and community leaders. He

indicated the Committee determined as long as fireworks were sold, fireworks would be set off, and it chose to work to curtail the setting off of fireworks as opposed to eliminating fireworks completely. He reported in August 2006, then Mayor Richard Carter said he favored putting the measure to vote and acknowledged an election would not end the heated debate; residents would be unhappy regardless of the result of the election. He noted this certainly proved to be the case. He reported in November 2006 the City of Broken Arrow held a special election to determine whether the residents would be allowed to discharge fireworks with a permit and the proposition passed by a vote of 14,795 in favor and 8,985 against. He stated following the special election, City Council amended the Fireworks Ordinance six times and approved the Manual of Fees for Fiscal Year 2022 and this year 1,300 permits were issued at \$22 dollars each. He noted this year 12 citations were issued by Police and Fire. He reported every year, before and after Independence Day, both Council and Staff were contacted by members of the community with complaints and praise. He stated the complaints were typically of disruptions caused by neighbors discharging fireworks. He stated in an effort to better serve the City of Broken Arrow, Staff was requesting input from City Council in terms of discharging fireworks and the subsequent enforcement efforts by first responders.

Mayor Wimpee stated if the City went to the people, and the people voted against allowing fireworks in the City, there would still be fireworks discharged in the City. She stated from what she heard from Fire and Police, by the time a call was made, and the Police or Fire arrived, the fireworks were already done being discharged and there was no way to prove fireworks had been discharged.

Mr. Stephens explained the unlawful discharge of fireworks was a misdemeanor, and as a misdemeanor the offence had to either happen in an officer's presence or a signed complaint by a witness was required.

Mayor Wimpee noted there were complaints about the lack of enforcement, but it was a very difficult thing to enforce.

Vice Mayor Gillespie stated she understood fireworks were sold on tribal lands and the City could not control the sale of fireworks.

Mr. Stephens stated Ordinance was changed to prevent the sale of fireworks within City Limits.

Council Member Parks indicated he had no solution. He stated he left Broken Arrow for 4<sup>th</sup> of July. He stated he felt holding big fireworks displays in the City might reduce the number of citizens who discharge fireworks. He indicated he personally was opposed to private citizens discharging fireworks. He recommended the City host two or three big fireworks displays on two or three different evenings. He noted personal fireworks were messy and he always had to clean up his yard after the 4<sup>th</sup> from his neighbors' displays.

Mayor Wimpee stated the City of Broken Arrow prohibited the private discharge of large fireworks, but even this was ignored. She noted she heard complaints of large fireworks rattling windows and such. She stated she understood the fireworks upset combat veterans, as well as pets throughout the City, her pets included.

Mr. Stephens noted Assistant City Manager Schwab commented fireworks did not go as high this year and as a result the percussion bounced between houses.

Council Member Green indicated there were two sides to every coin; there were those who were uncomfortable around fireworks and others who loved fireworks. He noted it would be hard to find balance. He stated short of going back before the people it would be hard to overturn the current Ordinance.

Vice Mayor Gillespie noted, from what she read, it would take 25 percent of the preceding election to put the issue of fireworks back on the ballot; therefore, if the previous election had 10,000 voters, it would take a petition with 2,500 signatures to put the issue back on the ballot. She stated if there was a group of citizens who were passionate about this issue and wished to collect the signatures, then by statute the issue could be placed on the next ballot for reconsideration.

City Attorney Trevor Dennis stated there was a process laid out in Title 34: the City was required to accept the petition and ensure it met certain statutory requirements, and if the requirements were met, then the issue would be placed on the ballot.

Vice Mayor Gillespie encouraged any citizens who were passionate about this issue to move forward and obtain the necessary signatures and she would then be in favor of putting the issue on the ballot.

Mayor Wimpee stated there were two issues here; there were those who wished to set off fireworks but did not wish to pay the permit fee.

Council Member Ford agreed if the Ordinance was changed, it should be the people who changed it, not City Council. She agreed she received complaints about fireworks, but she did not receive 2,500 complaints. She noted she received complaints about lack of enforcement, but the number of tickets issued this year went up from one to twelve.

Council Member Parks stated while City Council could simply add the issue to the ballot, he agreed the people should make a stand regarding the issue and sign a petition to put the issue on the ballot.

Discussion continued regarding the people signing a petition to put the issue on the ballot; large firework displays versus personal firework displays; citizens needing to follow the rules regarding personal firework displays; citizens making complaints without bothering to speak with neighbors and reporting false information; and dispatch having the ability to check for permits prior to sending officers to the scene.

Vice Mayor Gillespie suggested the possibility of the Veterans Center hosting events on and around 4<sup>th</sup> of July to enable veterans to avoid sitting home listening to fireworks.

Discussion ensued regarding fireworks in Broken Arrow; Broken Arrow being a patriotic city; and animals being frightened of fireworks.

Citizen Misti Stephens stated she left Broken Arrow this past 4<sup>th</sup> of July due to the excessive discharge of fireworks. She stated her children, pets, and decorated war veteran husband all despised the discharge of fireworks. She stated it was not the fireworks which were set off at 10:00 p.m. on 4<sup>th</sup> of July which were a bother as these were expected, it was the fireworks which were set off at 10:30 a.m. on July 7<sup>th</sup>. She stated if the fireworks could be contained within the indicated permitted times it would be good; however, fireworks were discharged between June 30 and July 8 at all hours of the day. She stated she understood the police could not constantly monitor the situation and the permits were certainly not the problem. She indicated she was in favor of limiting the amount of time fireworks were permitted to be set off and felt this issue should be placed on a ballot close to the 4<sup>th</sup> of July as it would be more compelling closer to the holiday.

Vice Mayor Gillespie noted it was already against City Ordinance to set off fireworks outside of the 3<sup>rd</sup> and 4<sup>th</sup> of July with or without a permit.

Council Member Ford asked if Ms. Stephens called the police when the fireworks were set off on July 7<sup>th</sup>, upsetting her family.

Ms. Stephens responded in the negative. She stated the police had more important public safety issues to deal with. She noted also, by the time the police arrived, the fireworks would be done and there would be nothing the police could do.

Council Member Green noted it was a difficult thing to enforce.

Police Chief Brandon Berryhill agreed the illegal discharge of fireworks was difficult to police. He stated on the 3<sup>rd</sup> and 4<sup>th</sup> of July there were 17 calls which were nonactionable, on the 4<sup>th</sup> and the 5<sup>th</sup> there were 37 calls which were nonactionable, and on the 5<sup>th</sup> and the 6<sup>th</sup> there were 14 calls which were nonactionable. He stated police had GPS in their cars, and GIS mapping for the City. He indicated he would like to move forward with equipping police vehicles with the ability to drive through neighborhoods and see on the map and mobile data station which homes had permits and which did not. He stated this would allow officers to drive down the street and automatically see whether those setting off fireworks had a permit. He noted this would help significantly with enforcement.

Mayor Wimpee asked why the City moved away from requiring posted permits in yards.

Mr. Stephens noted the permits could now be purchased online and as a result, signs to be posted on front lawns were no longer distributed.

Discussion ensued regarding posting permits; the police GIS system giving the police the ability to know who had permits; neighbors being displeased with the discharge of fireworks regardless of permits; the biggest problem being with setting off fireworks outside of permitted hours; and the GIS system better enabling police to enforce the fireworks ordinance.

Vice Mayor Gillespie asked how much the GIS system would cost.

Chief Berryhill responded he did not believe it would cost anything; all the pieces were in

place.

Discussion continued regarding those who were most bothered by fireworks including veterans and pets.

Chief Berryhill suggested releasing a PSA from a veterinarian discussing precautions which could be taken to prepare pets for fireworks.

Mayor Wimpee suggested extensive public education regarding the days and hours of permitted firework displays leading up to the 4<sup>th</sup> of July. She suggested pushing the information regarding permitted days and hours of fireworks to the HOAs throughout the City to pass on to residents as well.

Chief Berryhill noted this could be done.

Council Member Ford stated this information could be circulated through NextDoor as well.

City Manager Spurgeon reported his office received many complaints regarding fireworks. He noted the munitions in fireworks were serious and could easily start fires. He discussed some of the complaints he received. He indicated he liked the GIS system. He suggested requiring residents to apply for permits in person so City Staff could personally educate each applicant about the rules and regulations for fireworks. He noted this might reduce the number of permits, but it would ensure public education.

Mayor Wimpee stated this would not address the problems necessarily as the difficulty was with those who set off fireworks outside of the designated dates and times.

Discussion ensued regarding enforcement of the fireworks ordinance; what could be done to create more of a deterrence; and how to encourage the public to follow the rules.

Assistant Fire Chief Mark Stewart stated the Fire Department was tasked with looking out for life safety and property conservation for the City of Broken Arrow. He stated there was nothing about fireworks which helped either cause; there was always an uptick in call volume around the 4<sup>th</sup> of July. He reported 10,000 citizens were hurt nationwide from the use of fireworks.

Council Member Ford asked how many structural fires there were the week of 4<sup>th</sup> of July.

Chief Stewart noted there was one fire attributable to fireworks; most of the fires related to fireworks were in dumpsters rubbish piles, etc.

Mr. Stephens noted the Fire Department was also very active this year with wetting down piles of brush from the storm prior to the 4<sup>th</sup> of July to prevent potential fires.

Council Member Parks asked if there were any serious injuries related to fireworks this year.

Chief Stewart responded in the negative. He discussed the potential hazards of fireworks.

Vice Mayor Gillespie suggested a citizen spearhead an initiative petition regarding fireworks.

Council Member Ford noted City Council was willing to hear citizen suggestions as well.

Mayor Wimpee stated if fireworks were only discharged on the 3<sup>rd</sup> and the 4<sup>th</sup> during the approved time period most citizens would be much happier.

Vice Mayor Gillespie recommended being nice to your neighbors, showing respect, and cleaning up after discharging fireworks.

City Manager Spurgeon indicated no action was required by City Council at this time. He stated he would inform any citizens who contacted his office that the recommendation was for a citizen to spearhead an initiative petition which would require approximately 1,200 signatures based upon the last vote of the people. He noted the petition would need language stating what would be written on the ballot which could technically be binding.

City Attorney Dennis stated City Council had plenary power and the language could be altered.

Council Member Ford asked if there were any system glitches related to obtaining permits up to July 4<sup>th</sup>.

City Manager Spurgeon responded in the affirmative; there were system glitches, but the glitches did not prevent citizen access to permit acquisition.

**10. Preview Ordinances**

- A. 23-1066**     **Consideration, discussion, and possible preview of an Ordinance closing a Temporary Turn Around Easement on property located one quarter mile south of Dearborn Street (East 41st Street), one quarter mile east of Aspen Avenue (145th East Avenue), Tulsa County, State of Oklahoma, (Section 27, T19N, R14E), repealing all ordinances to the contrary; and declaring an emergency (EASE 000847 2023)**  
Community Development Director Kevin Maevers reported property owner, Forrest Hest, submitted an application requesting the closure of an approximately 0.18 acre temporary turn-around easement on property located approximately one-quarter mile south of Dearborn Street (East 41st Street), one-quarter mile east of Aspen Avenue (145th East Avenue). He stated the property was currently under development as a single-family residential subdivision. He indicated the temporary turn-around easement was dedicated by Book 7212, Page 1904 in Tulsa County, as part of the Greenbriar at Battle Creek subdivision to the south; the property this easement crossed was under review to be platted as Honey Springs. He stated Staff reviewed the documents and recommended acceptance of the temporary turn-around easement closure.

MOTION: A motion was made by Christi Gillespie, seconded by Johnnie Parks.  
**Move to preview the Ordinance and set it for adoption**

The motion carried by the following vote:

- Aye: 5 -** Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee
- B. 23-1087**     **Consideration, discussion, and possible preview of an Ordinance amending Broken Arrow Code of Ordinances Section 23-147 “Spaces reserved for physically disabled persons.”; Repealing all ordinances to the contrary and declaring an emergency**  
City Attorney Trevor Dennis reported this Ordinance would bring Broken Arrow local ordinance into compliance with state law.

Police Officer Chris Chambers indicated with the growth of the Rose District there was an increase in handicap parking violations, mainly in the striped area adjacent to handicap spots which were specifically designed for wheelchair loading and unloading. He explained City Ordinance currently did not specifically address this violation, state law did, and it would be good to bring City Ordinance into compliance with state law.

MOTION: A motion was made by Lisa Ford, seconded by Justin Green.  
**Move to preview the Ordinance and set it for adoption**

The motion carried by the following vote:

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

**11. Ordinances**

There were no Ordinances.

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

There were no remarks or inquires by Governing Body Members.

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

City Manager Spurgeon reported school was back in session tomorrow. He stated he and the Superindendant released a PSA about slowing down in school zones. He noted it was important to be aware while driving in school zone areas. He thanked the Broken Arrow Police Department for its efforts regarding school zones and parking violations.

He reported Jennifer Conway facilitated a meeting with the new President of NSU and himself during which an economic development opportunity was discussed. He indicated Jennifer Conway was working to organize a meet and greet for City Council and the new President of NSU. He thanked Ms. Conway.

**14. Executive Session**

There was no Executive Session.

**15. Adjournment**

The meeting was adjourned at approximately 7:31 p.m.

MOTION: A motion was made by Lisa Ford, seconded by Johnnie Parks.  
**Move to adjourn**

The motion carried by the following vote:

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

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Mayor

\_\_\_\_\_  
City Clerk