



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

Tuesday, August 19, 2025

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. [25-1119](#) Acknowledgement of out-of-state travel by City Council members
- B. [25-21](#) Approval of the City Council Meeting Minutes of August 04, 2025
- C. [25-1202](#) Approval of the City Council Work Session Minutes of August 12, 2025
- D. [25-1161](#) Acceptance of Planning Commission meeting minutes of July 10, 2025
- E. [25-1184](#) Approval of Drainage Advisory Committee meeting minutes of April 28, 2025
- F. [25-1208](#) Approval of and authorization to execute Budget Amendment Number 1 for Fiscal Year 2026
- G. [25-1206](#) Approval of and authorization to execute a 5-year contract with Brinc, a sole source provider, for the Lemur Safeguard Program for the Police Department
- H. [25-1149](#) Approval of and authorization to execute Change Order No. 2 with Gober Construction LLC for the Concrete Panel Replacement Turtle Creek Phase 2 (ST23030)
- I. [25-1141](#) Approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and Hall Estill, Attorneys at Law for providing counsel and legal advice regarding Environmental law

- J.** [25-961](#) Approval of and authorization to execute Change Order No. 2 with Scissor Tail Construction LLC for the Broken Arrow Public Safety Complex Fire Department Annex Building Project (191711)
- K.** [25-1109](#) Approval of and authorization to execute a First Amendment for a 5 year extension on a Lease Agreement at Central Park with T-Mobile USA Tower LLC
- L.** [25-1127](#) Approval of and authorization to execute an Addendum to the Zero Card Service Fee in with the Zero Card, effective October 1, 2025
- M.** [25-1129](#) 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
- N.** [25-1142](#) Approval of and authorization to pay the Brite quote of \$66,695.40 for the annual Getac body worn camera cloud storage and maintenance fees per our multi-year body worn camera project
- O.** [25-1204](#) Approval of and authorization to execute the purchase of mobile communication radios for the police department from L3 Harris Technologies Inc
- P.** [25-1145](#) Approval of and authorization to fund the fourth year of CentralSquare's Public Safety Pro Suite renewal order
- Q.** [25-1181](#) Approval of and authorization to purchase grapplers from Stock Enterprises for the new Police Department Chevy Tahoes and Ford F150 Responders
- R.** [25-1160](#) Approval of and authorization to purchase one (1) Ford F-350 Extended Cab with 7 Yard Curbtender Body from Vance Country Ford pursuant to the Oklahoma State purchasing contract SW035 for Parks Department
- S.** [25-1163](#) Approval of and authorization to purchase one (1) Ford F-250 Crew Cab 4x4 with Short Bed from Vance Country Ford pursuant to the Oklahoma State purchasing contract SW035 for Parks Department
- T.** [25-1162](#) Approval of and authorization to purchase one (1) Ford F-350 Regular Cab with Knapheide 9ft Drop Side Dump Body from Vance Country Ford pursuant to the Oklahoma State purchasing contract SW035 for Parks Department
- U.** [25-1203](#) Approval of and authorization to purchase one (1) Ford T350 Transit Passenger Van from Vance Country Ford pursuant to the Oklahoma State purchasing contract SW035 for Parks Department

- V. [25-1165](#) Approval of and authorization to purchase one (1) 2025 F-550 Regular Cab 4x4 with Versalift VST47MHI insulated articulating telescopic aerial device from Versalift, a Time Manufacturing Company pursuant to Sourcewell Contract 110421-TIM
- W. [25-1185](#) Acceptance of the Drainage Advisory Committee's recommendation to approve expenditure of 2018 General Obligation (GO) Bond funds for construction to mitigate erosion and re-establish the ditch along West Freeport Street
- X. [25-1187](#) Acceptance of the Drainage Advisory Committee's recommendation to approve expenditure of 2018 General Obligation (GO) Bond funds to mitigate erosion and protect utilities in the Waterford Park Subdivision
- Y. [25-1188](#) Acceptance of the Drainage Advisory Committee's recommendation to approve expenditure of 2018 General Obligation (GO) Bond funds to design drainage improvements in the Silvertree subdivision
- Z. [25-1189](#) Acceptance of the Drainage Advisory Committee's recommendation to approve expenditure of 2018 General Obligation (GO) Bond funds for drainage improvements adjacent to the Millicent Pond II Subdivision
- AA. [25-1190](#) Acceptance of the Drainage Advisory Committee's recommendation to approve expenditure of 2018 General Obligation (GO) Bond funds for survey and construction funds for drainage improvements along the Indian Springs Golf Course and in the Indian Springs 2nd Addition subdivision
- AB. [25-1197](#) Acceptance of the Drainage Advisory Committee's recommendation to approve expenditure of 2018 General Obligation (GO) bond funds for low water crossing improvements along Broken Arrow Creek with construction contingent upon obtaining the City obtaining ownership of the private road
- AC. [25-1146](#) Approval of and authorization to execute Resolution No. 1688, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 33.0, consisting of 3,387 square feet of permanent Right-of-Way and acceptance of a Temporary Construction Easement for Parcel 33.A consisting of 1,446 square feet of temporary construction easement, generally located east of 9th Street and south of East Del Mar Place in the Northwest Quarter of Section 24, Township 18 North, Range 14 East in Broken Arrow, Oklahoma, Tulsa County, Oklahoma, from Armory, LLC, an Oklahoma Limited Liability Company, and authorization of payment in the amount of \$9,190.00 for the 9th Street widening from New Orleans Street to Washington Street, Parcel 33.0 (Project No. ST23280)

- AD.** [25-1205](#) Approval of and authorization to execute Resolution No. 1689, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 4.0, consisting of 17,861 square feet of Fee Simple permanent Right-of-Way located at Southeast corner of 9th and New Orleans in Broken Arrow, Oklahoma, in the Northwest Quarter of Section 25, Township 18 North, Range 14 East, Tulsa County, Oklahoma, from Gerald and Julia Bowman, the owners, and authorization of payment in the amount of \$80,720.00 for the 9th Street widening from New Orleans Street to Washington Street, Parcel 4.0 (Project No. ST23280)
- AE.** [25-1199](#) Approval of and authorization to execute Resolution No. 1690, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 3.0, consisting of 1,200 square feet of permanent Right-of-Way located at 10203 South Lynn Lane Road in Broken Arrow, Oklahoma, in the Northwest Quarter of Section 25, Township 18 North, Range 14 East, Tulsa County, Oklahoma, from Mary McCurley, formerly known as Mary Lee Plunk, and authorization of payment in the amount of \$41,000.00 for the 9th Street widening from New Orleans Street to Washington Street, Parcel 3.0 (Project No. ST23280)
- AF.** [25-1200](#) Approval of and authorization to execute Resolution No. 1691, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 1.0, consisting of 25,207.38 square feet of permanent Right-of-Way, generally located on the southeast corner of the intersection of South 23rd Street and East Houston Street in Broken Arrow, Oklahoma, in the Northwest Quarter of Section 18, Township 18 North, Range 15 East, Wagoner County, Oklahoma, from Mary H. Couch, Sole Trustee of the Don C. and Mary H. Couch Revocable Trust, dated the 28th day of January, 2019, and authorization of payment in the amount of \$80,000.00 for the Houston Street Improvements from 9th Street to Old Hwy 51, Parcel 1.0 (Project No. ST1926)
- AG.** [25-1211](#) Approval of and authorization to execute Resolution No. 1692 a Resolution authorizing acceptance of a Deeds of Distribution for Parcel 4.0, which consists of 25,529 square feet of permanent Right-of-Way, generally located at the northwest corner of the intersection of 9th Street and Washington Street in Broken Arrow, Oklahoma, in the Southwest Quarter of Section 14, Township 18 North, Range 14 East, Tulsa County, Oklahoma, from Vicki Rae Fulps Barnett a/k/a Vicki Rae Barnett, Personal Representative of the estate of Paul F. Fulps a.k.a. Paul Fleetwood Fulps, deceased, and from James Steven Fulps, Personal Representative of the Estates of J. W. Fulps and L.A. Fulps a.k.a. Wanda Lea Fulps, both deceased, and authorization of payment in the amount of \$153,180.00 for the 9th Street widening from Houston Street to Washington Street, Parcel 4.0 (Project No. ST2027)

- AH.** [25-1198](#) Acceptance of a Drainage Easement for Parcel 23.B, consisting of 1,325 square feet of permanent Drainage Easement and acceptance of Temporary Construction Easements for Parcels 23.A and 24.A, consisting of 178 square feet and 851 square feet, respectively, on property generally located west of South Lynn Lane Road and north of East Fulton Street in Broken Arrow, Oklahoma, in the Northeast Quarter of Section 23, Township 18 North, Range 14 East, Tulsa County, Oklahoma, from Armory, LLC, an Oklahoma limited liability company, and authorization of payment in the amount of \$1,850.00 for the 9th Street Roadway Improvements-New Orleans Street to Washington Street, Parcels 23 and 24. (Project No. ST23280)
- AI.** [25-1147](#) Acceptance of a Utility Easement from Eagle I Investments, LLC, a Colorado limited liability company, as nominee for LRL Christian Charitable Trust No. 1, a Colorado trust, the owner, on property generally located at the northwest corner of the intersection of East Washington Street and North 23rd Street in Broken Arrow, Oklahoma, located in the Southeast Quarter of Section 13, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma. Parcel 40.0 is for the County Line Trunk Sewer Phase IIB - Sanitary Sewer Improvements (Project No. 2154250)
- AJ.** [25-1174](#) Acceptance of a Utility Easement from Christopher R Byrne, on property located one-quarter mile north of Kenosha Street (71st Street), one-quarter mile west of 9th Street (Lynn Lane Road), Tulsa County, State of Oklahoma, (Section 02, T18N, R14E), (EASE-002324-2025)
- AK.** [25-1175](#) Acceptance of a Utility Easement from Evergreen Baptist Church by Jerry Voris, on property located on Florence Street (111st Street), three-quarter miles west of 113th East Avenue (Garnett Road), Tulsa County, State of Oklahoma, (Section 30, T18N, R14E), (EASE-002121-2025)
- AL.** [25-1176](#) Acceptance of a Waterline Easement from Evergreen Baptist Church by Jerry Voris on property located on Florence Street (111th Street) and three-quarter miles west of 113th East Avenue (Garnett Road) (Section 30, T18N, R14E) (EASE-002127-2025)
- AM.** [25-1177](#) Ratification of the Claims List Check Register Dated August 12, 2025

6. Consideration of Items Removed from Consent Agenda

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

- A.** [25-1154](#) Presentation of the results of the South Broken Arrow Library Micro-Survey
- B.** [25-274](#) Update on the 2026 General Obligation Bond Package

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. [25-1186](#) Consideration, discussion, and possible acceptance of the Drainage Advisory Committee's recommendation to approve expenditure of 2018 General Obligation (GO) Bond funds to replace a retaining wall along Liberty Trail

10. Preview Ordinances - NONE

11. Ordinances

- A. [25-1081](#) Consideration, discussion and possible adoption of Ordinance No. 3885, amending Chapter 2, Administration, Article IX, Employee Rules and Regulations, Sec. 2-146(3), Employment Requirements, of the Broken Arrow Code of Ordinances; providing for severability; repealing conflicting ordinances; and establishing an effective date; and declaring an emergency
- B. [25-1082](#) Consideration, discussion and possible approval of an emergency measure for Ordinance No. 3885; it being immediately necessary for the preservation of the public peace, health, safety, or welfare, an emergency is hereby declared to exist
- C. [25-1167](#) Consideration, discussion and possible adoption of Ordinance No. 3891, an ordinance amending Chapter 16, Offenses - Miscellaneous, Article I, In General, amending Section 16-33, Failure to pay cite and release, of the Broken Arrow Code; repealing all ordinances to the contrary and declaring an emergency
- D. [25-1168](#) Consideration, discussion and possible approval of an emergency measure for Ordinance No. 3891; it being immediately necessary for the preservation of the public peace, health, safety, or welfare, an emergency is hereby declared to exist
- E. [25-1169](#) Consideration, discussion and possible adoption of Ordinance No. 3892, an ordinance amending Chapter 16 Offenses - Miscellaneous, Article I In General, by adding Section 16-34, Cost arrest warrant, to the Broken Arrow Code; repealing all ordinances to the contrary; and declaring an emergency
- F. [25-1170](#) Consideration, discussion and possible approval of an emergency measure for Ordinance No. 3892; it being immediately necessary for the preservation of the public peace, health, safety, or welfare, an emergency is hereby declared to exist

- G.** [25-1182](#) Consideration, discussion and possible adoption of Ordinance No. 3893, an ordinance amending Chapter 16, Offenses - Miscellaneous, Article III, Offenses Against Property, of the Broken Arrow Municipal Code, to include the following sections: Section 16-69, Definitions; Section 16-70, Encampment in a public place or on private property prohibited; Section 16-71, Defenses to unlawful encampment in a public place or on private property; Section 16-72, Penalty; Section 16-73, Procedure for enforcement of this article; and Section 16-74, Protection of constitutional rights; and Sections 16-75 - 16-80; Reserved; and declaring an emergency
- H.** [25-1183](#) Consideration, discussion and possible approval of an emergency measure for Ordinance No. 3893; 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 litigation known as Ryan Merrill v. City of Broken Arrow, et al., Eastern District of Oklahoma, Case No. 22-cv-,0007-RAW-GJL, under 25 O.S. §307(B)(4);**
- 2. A pending eminent domain litigation proceeding, asserted by the City of Broken Arrow against J. Michael Ritze et al.; Tulsa County District Court Case No. CJ-2024-2454, and taking appropriate action in open session, including possible authorization to settle the proceeding, under 25 O.S. §307(B)(4);**
- 3. A pending investigation and claim, including potential resolution, of a matter involving the tort claim of the Sellers Family, Tort Claim No. TRT 1705.2025, and taking appropriate action in open session, if any, under 25 O.S. §307(B)(4);**
- 4. Discussing the employment of the City Manager, Michael L. Spurgeon, and specifically to permit the City Council to conduct the annual evaluation as provided for in the City Manager's Employment Agreement as amended and taking appropriate action in open session regarding his employment and contract as allowed under 25 O.S. § 307(B)(1).**

In the opinion of the City Attorney, the Council is advised that the Executive Session is necessary to protect the confidentiality of the employee evaluation as allowed by the Open Meeting Act, and to process the litigation in a manner that prevents disclosure which would seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decisions, 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