



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

Monday, June 2, 2025	Time 6:30 p.m.	Council Chambers
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1. Call to Order

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

2. National Anthem by the Broken Arrow Senior Center Choir

3. Invocation

Pastor Andrew Conley led the invocation.

4. Roll Call

Present: 4 - David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee
Absent: 1- Justin Green

5. Pledge of Allegiance to the Flag

The Pledge was led by Vice Mayor Johnnie Parks.

6. Consideration of Consent Agenda

- A. 25-17 Approval of the City Council Meeting Minutes of May 20, 2025**
- B. 25-755 Acceptance Planning Commission meeting minutes of May 8, 2025**
- C. 25-774 Approval of and authorization to execute Budget Amendment Number 28 for Fiscal Year 2025**
- D. 25-777 Approval of and authorization to execute a Risk Management Services Agreement with the Arrow Group to provide brokerage services for Risk Management and Insurance Services administration to be effective July 1, 2025**
- E. 25-779 Approval of and authorization to execute the first renewal of the Mutual Aid Agreement between the City of Broken Arrow and the City of Coweta for Building Inspection Services**
- F. 25-743 Approval of and authorization to execute Agreement for Professional Consultant Services with Walter P. Moore and Associates, Inc. for the 245th E. Avenue Improvements from Kenosha Street to Oakland Street (Project Number 2552200)**
- G. 25-780 Approval of and authorization to execute Amendment 1 to professional Consultant Agreement with Narrate for the design of the Operations Center Administration Building Remodel Project (Project No. 2317210)**
- H. 25-747 Approval of and authorization to execute Agreement, Gas Facilities Relocation, between Oklahoma Natural Gas and the City of Broken Arrow, for South Aspen Ave and East Tucson Street (Project Number ST2031)**
- I. 25-701 Approval of and authorization to execute an agreement with the Orsus Group Background Screenings to provide pre-employment background check screenings for pre-employment requirements of candidates of the City of Broken Arrow**
- J. 25-716 Approval of and authorization to execute an annual use agreement between the City of Broken Arrow and ArtsOK, Inc**
- K. 25-731 Approval of and authorization to execute an annual use agreement between the City of Broken Arrow and Broken Arrow Genealogical Society**
- L. 25-720 Approval of and authorization to execute an annual use agreement between the City of Broken Arrow and Broken Arrow Historical Society**
- M. 25-728 Approval of and authorization to execute an annual use agreement between the City of Broken Arrow and Broken Arrow MVA d/b/a Military History Center**
- N. 25-719 Approval of and authorization to execute an annual use agreement and sublease between the City of Broken Arrow and Broken Arrow Veterans Center, Inc.**
- O. 25-742 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
- P. 25-776 Approval of and authorization to execute the purchase of Oklahoma Municipal Assurance Group (OMAG) Insurance Policies for Bass Pro property, General Municipal Properties, including Battle Creek Property, and Auto/Mobile Equipment effective July 1, 2025
 - Q. 25-745 Approval of and authorization to execute the sale of the bid 25.14 for the property located at 401 E. Kenosha to CRS Sanders
 - R. 25-746 Approval of and authorization to award and execute a Request for Proposal (RFP) for consultant services to provide fleet management consulting services to Matrix Consulting Group
 - S. 25-789 Approval of a waiver of Section 24.104 of the Codes of Ordinances for approximately 15 acres, A-1 (Agricultural), one-quarter mile south of Washington Street (91st Street) east of 23rd Street (County Line Road)
 - T. 25-751 Approval of and authorization to execute Change Order No. 3 with Mowtown Outdoors for the Gardens at Central Park (2360450)
 - U. 25-750 Approval of and authorization to execute Resolution No. 1659, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 11.0, consisting of 4,898 square feet of permanent Right-of-Way and one Utility Easement for Parcel 11.A consisting of 3,179 square feet, located at 8601 South Lynn Lane Road in Broken Arrow, Oklahoma, in the Southwest Quarter of Section 13, Township 18 North, Range 14 East, Tulsa County, Oklahoma, from The Linda J. Holman Revocable Trust, dated January 25, 2007, and authorization of payment in the amount of \$17,270.00 for the 9th Street widening from Houston Street to Washington Street, Parcel 11.0 and 11. A (Project No. ST2027)
 - V. 25-770 Approval of and authorization to execute Resolution No. 1660, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 6.0, consisting of 7,188 square feet of permanent Right-of-Way located at 17615 East 101st Street South in Broken Arrow, Oklahoma, in the Northeast Quarter of Section 26, Township 18 North, Range 14 East, Tulsa County, Oklahoma, from King Development Group, LLC, an Oklahoma Limited Liability Company, and authorization of payment in the amount of \$17,970.00 for the 9th Street widening from New Orleans Street to Washington Street, Parcel 6.0 (Project No. ST23280)
 - W. 25-771 Approval of and authorization to execute Resolution No. 1661, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 7.0, consisting of 4,160 square feet of permanent Right-of-Way located at 8722 South Lynn Lane Road in Broken Arrow, Oklahoma, in the Southeast Quarter of Section 14, Township 18 North, Range 14 East, Tulsa County, Oklahoma, from Robert E. Samuel and Fran Samuel, and authorization of payment in the amount of \$12,940.00 for the 9th Street widening from Houston Street to Washington Street, Parcel 7.0 (Project No. ST2027)
 - X. 25-614 Approval of PR-000766-2024 | PT-002131-2025, Conditional Final Plat, 81st Street Industrial Park, approximately 12.83 acres, 1 proposed lot, IH (Industrial Heavy) and FD (Flood District), located south of Houston Street (81st Street) and approximately one-sixteenth mile west of 23rd Street (193rd Avenue/County Line Road)
 - Y. 25-636 Approval of PR-00628-2024 | PT-002142-2025, Conditional Final Plat, Elysian Fields II, 12.76 acres, 59 lots, A-1 (Agricultural) to RS-3 (Single Family Residential) and RS-4 (Single Family Residential)/PUD-306 via BAZ-2046, one-quarter mile south and east of the southeast corner of Tucson Street (121st Street) and Garnett Road
 - Z. 25-679 Approval of SP-002108-2025, Ian's Auto Service, CH (Commercial Heavy), one-quarter mile north of Houston Street (81st Street), east of Lynn Lane Road (9th Street)
 - AA. 25-790 Approval of and authorization to execute Resolution No. 1668, a Resolution of Necessity to Condemn Property located at 520 East Washington Street, Broken Arrow, OK 74012, located in Section 14, Township 18 North, Range 14 East of the Indian Meridian, Tulsa County, Oklahoma, for the: 9th Street Widening: Houston to Washington, Parcel 4.0 (Project No. ST2027)
 - AB. 25-767 Acceptance of a Deed of Dedication from OakTrust Development, LLC, an Oklahoma Limited Liability Company, for property consisting of 3.1215 Acres of overland drainage and detention easement, located near 5601 South Aspen Avenue in Broken Arrow, Oklahoma, in the Southwest Quarter of Section 34, Township 18 North, Range 14 East, Tulsa County, Oklahoma, for the OakTrust Project
 - AC. 25-559 Acceptance of a Detention Easement from RoseWood Village Development, LLC, on property located approximately one-quarter mile north of Houston Street (81st Street), one-eighth mile east of Aspen Avenue (145th East Avenue), shown as Exhibit A (Section 10, T18N, R14E) (EASE-002077-2025)
 - AD. 25-749 Acceptance of a Utility Easement consisting of 13.28 square feet from Ruby M. Drake Family, LLC, an Oklahoma Limited Liability Company and Eldon L. Drake Family, LLC, an Oklahoma Limited Liability Company, on property located at 4516 South 9th Street in Broken Arrow, Oklahoma, located in the Southeast Quarter of Section 26, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma for the 9th Street, Waco Street to Florence Street & Florence Street, Elm Place to Ash Drive, Parcel 8.0 (Project No. WL23080)

AE. 25-791 Ratification of the Claims List Check Register Dated May 29, 2025

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

Move to Approve Consent Agenda

The motion carried by the following vote:

Aye: 4 - David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee

7. Consideration of Items Removed from Consent Agenda - NONE

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

A. 25-760 Conduct a public hearing for the Proposed 2025-2026 Fiscal Year Budget

Tom Cook, from the Finance Department, presented Item 25-760. The Municipal Budget Act of 1979 mandates a public hearing to allow community input on the City's proposed annual budget. In compliance, the City of Broken Arrow is holding this hearing to receive comments on the proposed fiscal year 2025-2026 budget. Notice of the hearing was published on May 27th in the Tulsa World, and the budget has been available for review at City Hall and online.

City Manager Michael Spurgeon stated that he and Mr. Cook are presenting the City of Broken Arrow's fiscal year 2026 budget in place of Cindy Arnold, Director of Finance, who is out due to a family emergency. The presentation emphasizes the importance of the budget process, which spans a fiscal year from July 1 to June 30 rather than the calendar year. The budget is available at City Hall and online, with an executive summary included in the first 24 pages that outlines key priorities and work plans. The budget serves to align services with Council priorities, ensure sustainability, and maintain operations. Key goals include public safety, economic development, government innovation, strategic investments, and transparency. Conservative revenue and expenditure estimates, legal requirements for balanced funds, contingencies for emergencies, and long-term sustainability guide the budget. Sales tax, the city's primary revenue source, is volatile and currently trending flat, contributing to budget challenges alongside inflation and supply chain issues. Property taxes fund only debt repayment, not operations, which rely heavily on sales tax, franchise fees, and utility revenues. The city remains focused on delivering services and maintaining quality of life despite financial constraints.

Mr. Cook further stated that the proposed FY26 municipal budget for the City of Broken Arrow totals \$455.96 million, representing a 3.44% decrease from the FY25 budget. Operational spending is set to rise by 9.58% to \$181.3 million, while capital outlay will drop by 12.95% to \$232.56 million. Debt service will increase by 6.31% to \$42.09 million. The general fund budget for FY26 is \$153.66 million, representing a 1.67% increase from FY25, and includes expenditures, transfers, and the projected ending balance. FY26 revenues, excluding transfers, are estimated at \$98.64 million, a 5.44% increase over FY25, with sales tax projected to grow 1.5%. Operating expenses total \$32.48 million, and major fund transfers include \$21.41 million to BAMA, \$600,000 to BAEDA, \$36.2 million to the police sales tax fund, and \$30.2 million to the fire sales tax fund. The projected ending fund balance is \$32.68 million, with detailed departmental expenses provided in Section Two of the budget book.

City Manager Spurgeon explained The Sales Tax Capital Improvement Fund (STCI) is a key component of the City's budget, funded by a voter-approved half-cent portion of the 3.55% city sales tax. For FY26, STCI is expected to generate just under \$11 million for pay-as-you-go capital projects, such as roof replacements, HVAC systems, smaller vehicles, and other capital needs. Additionally, \$22.5 million in ongoing project funds will roll over due to projects still in progress. Proposed STCI projects are detailed in section four, pages 11–14 of the budget book. As part of the budget process, department heads were invited to present updates. Among them was Fire Chief Jeremy Moore, who provided insights into department operations, future planning, and efforts to maintain the City's top ISO rating.

Mr. Cook clarified that the transfers he mentioned earlier are operating transfers, which support the specific operational needs of various funds that lack independent revenue sources. For example, the BETA Fund receives \$600,000 from the General Fund to support its operations, as it does not generate its income. Both the General Fund and BAMA contribute to BAEDA. Similarly, the E911 Fund transfers money to the Police Department to help cover communication costs. These operating transfers are designated strictly for operational purposes.

City Manager Spurgeon emphasized that, due to a 2015 voter-approved mandate, around 68% of General Fund revenues must be transferred to support the Police Department, with roughly \$36 million and \$30 million allocated to relevant funds. These are examples of the operating transfers previously discussed. He also acknowledged the strong budget presentations from department directors, particularly highlighting the detailed and engaging updates from Fire

Chief Jeremy Moore and Utilities Director Tim Robbins, commending all directors for their work on the budget.

Mr. Cook presented the FY26 budget for the Broken Arrow Municipal Authority (BAMA), totaling \$177.24 million, representing an 11.6% decrease from FY25's \$ 200.60 million. This drop is mainly due to a 35.9% reduction in capital outlay despite an 8.36% increase in operating costs, reserve balances, and debt service. The decrease reflects the expenditure of prior loan proceeds last year. A rate increase will be necessary to support operations, capital projects, and OWRB debt service, with rate discussions set for later in the summer. The budget includes \$8.6 million in pay-as-you-go capital improvements, \$24.9 million in new OWRB projects, and \$24.5 million for ongoing projects, totaling nearly \$ 58 million. BAMA's operating expenses include \$28.2 million for personnel, \$21.8 million for services and charges, \$8 million for materials, \$14 million in debt service, and \$24.2 million in transfers. Detailed departmental budgets are located in Section Three of the budget book, with capital projects listed on pages 41-47.

City Manager Spurgeon concluded the budget presentation by noting that the City Council had previously reviewed proposed general obligation bond sales during the workshop, with details in Section Four, pages 60–71 of the budget book. While the Council will tentatively approve the list now, the final version will be finalized in September once property assessments are received. Approximately \$17 million is expected to be sold from the 2018 bond package this year, with about \$100 million in projects from the 2011, 2014, and 2018 bond packages currently under construction. By the end of this sale, around \$192 million of the \$210 million authorized from the 2018 package will have been issued. He also mentioned the ongoing work on the 2026 bond initiative, which will involve the Council selecting final projects through January 2026 for a public vote on April 7, 2026. Spurgeon closed by summarizing the proposed FY26 budget of \$455,957,612, a 3.44% decrease from FY25, emphasizing its alignment with the city's commitment to service and quality of life. He thanked Finance Director Cindy Arnold, Tom Cook, Tara Kilpatrick, the finance staff, department directors, and support staff Cricket Moore and Lori Hill for their work in preparing the budget.

Vice Mayor Johnnie Parks offered a closing comment, reflecting on the earlier budget workshop. He praised the staff for their thorough and well-presented work. He noted that the workshop had been instrumental in helping the Council understand the budget in detail, emphasizing that tonight's hearing was not their first exposure to it. He also took a moment to commend the City Manager—despite his reluctance to compliment him in his presence—for producing an exceptional executive summary. Vice Mayor Parks highlighted that reading through that section of the budget book gives a clear and comprehensive understanding of both the budget process and the City's specific financial plan.

William Kok, a resident of the Indian Springs District, questioned the city's reliance on issuing bonds and accruing debt—citing a proposed \$42 million in debt service—and suggested instead that property taxes be collected and projects paid for as funds become available. The speaker acknowledged it as a general inquiry.

City Manager Spurgeon explained that the \$42 million in debt service for the upcoming fiscal year includes repayments on two types of obligations: voter-approved general obligation bonds, which are constitutionally required to be approved through ballot propositions, and bonds issued through the city's utilities authority, like BAMA, for water and sewer projects. He emphasized that the city cannot fund such projects without voter approval or through authorized channels, such as utility authorities.

B. 25-358 Presentation and annual programming update by Broken Arrow Seniors

Lori Hill, Community Relations Manager, introduced Kim Crenshaw from Broken Arrow Seniors and Jennifer Deal from Arts 302, explaining that as part of their annual use agreements with the city, they are required to present a yearly update. She expressed appreciation for working with both women over the past two years.

Kim Crenshaw reported that the Broken Arrow Senior Center is thriving, with nearly 3,200 active members and an average of over 546 daily visitors across two buildings in May. Attendance peaks at over 600 on Tuesdays and Thursdays, with more than 115 weekly programs now offered. Members contributed over 24,000 volunteer hours this year, and the center served over 24,000 meals in 2024 through its partnership with the Tulsa and Creek County Nutrition Program. Most participants are residents of Broken Arrow, and membership remains at \$40 per year. With rising demand, the center is extending its hours on Tuesdays and Thursdays to 7 p.m. and introducing new evening programs, including dance and fitness classes. In August, a memory café will launch to support those with early-stage dementia. The center was also named the Chamber's 2024 Non-Profit of the Year. Crenshaw concluded by promoting the upcoming Founders' Day Luau fundraiser.

The council praised Kim Crenshaw and the Broken Arrow Senior Center for their contributions to the community, sharing lighthearted moments about last year's luau and hula dancing. Ms. Crenshaw was recognized for her dedication, including her role on the internal advisory committee for the bond package and as board chair. They emphasized how the center enhances the city's quality of life, citing its impact as a key reason Broken Arrow is ranked among the most livable cities. Appreciation was expressed for her leadership and the center's role in keeping seniors active, engaged, and visible in the community.

C. 25-359 Presentation and annual programming update by ArtsOK for Arts@302

Jennifer Deal, an art teacher, shared that Arts 302 is thriving, with growing participation and revenue, and they're exploring a collaborative grant for creative aging with the Broken Arrow Senior Center. Most summer classes are filling up, and they've seen a 14% increase in unique participants and an 8% rise in revenue. Rentals and art parties have nearly doubled, camps are popular and selling out, and they're gaining regional recognition, including a feature in the Oklahoma Visual Arts Coalition magazine. The center recently hosted the Oklahoma Arts Council board and is now considering starting an arts crawl in Broken Arrow. Upcoming events include a July showcase for art camps, the packed August 5x5 fundraiser, and the expanded "Mimosas Off Main" event at a new venue. They've hired a development director and continue to promote ArtsOK events, such as Tuesdays in the Park and Chalk It Up, with invitations forthcoming for their donor event, Martinis on Main.

D. 25-773 Presentation regarding requested lane closure at the intersection of South Elm Place and West Houston Street by AWP Safety

Charlie Bright, Director of Engineering and Construction, presented Item 25-773. He informed the council that no action was required but provided an update on upcoming arterial lane closures. On Elm Place, the city will conduct a one- or two-day closure to access maintenance holes and confirm the depth of fiber optic lines, thereby avoiding damage during future work. On Aspen Street, near the railroad tracks, a private entity plans to dig up the pavement to locate an old city water line suspected to be in the way. Both closures aim to occur outside rush hours, with traffic remaining open in both directions but possibly reduced to one lane temporarily.

E. 25-270 Update on the 2026 General Obligation Bond Package.

City Manager Michael Spurgeon announced that on June 18th, the Council will begin reviewing all proposed projects for the upcoming bond package. This includes presentations from organizations requesting funding—such as Arts 302, the Senior Center, various sports groups, and others—as well as input gathered from surveys, the school district, the Chamber, citizens, homeowners' associations (HOAs), and community partners. He expressed enthusiasm about the opportunity to present this comprehensive overview to the Council.

9. 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)

William Kok expressed concern about a gate installed at the back entrance of Indian Springs, intended to prevent sports complex traffic from cutting through the neighborhood. He argued that the gate compromises resident safety and emergency response times, citing incidents where fire trucks had to cut the lock. He emphasized that residents did not cause the traffic issue and should not bear the consequences, suggesting instead that enforcement or monitoring be implemented to manage sports complex traffic without restricting residents' access. He questioned the gate's actual impact based on traffic data and urged reconsideration of its use.

Allison Turpen, a Broken Arrow resident, voiced concern about the proposed aluminum plant in Inola, noting that East Broken Arrow lies within a 10-mile radius of the site. She raised questions about potential impacts on health, pollution, and energy costs, especially given the lack of similar facilities built in the past 50 years. She asked whether the Council plans to evaluate or address the issue moving forward.

10. General Council Business

A. 25-626 Consideration, discussion, and possible approval of PT-001984-2025|PR- 000157-2023, Conditional Final Plat, Spring Creek Crossing, approximately 36.99 acres, 132 Lots, RS-4(Single-Family Residential)/PUD-001360-2024 (Planned Unit Development), located north of Tucson Street (121st Street) and approximately one-quarter mile west of 9th Street (Lynn Lane Road/177th Avenue)

Rocky Henkel, Director of Community Development, presented Item 25-626, the conditional final plat for Spring Creek Crossing, which includes 132 lots on nearly 37 acres and has been

rezoned from agricultural to single-family residential under a PUD. After initial review and Planning Commission approval in February, the item was tabled by the City Council in April to address concerns from residents about stormwater runoff and erosion. Following a May meeting with adjacent property owners, two separate issues were clarified: one involving construction-related dirty runoff and the other a platting matter. The developer has taken corrective action, including sodding the slope along the eastern boundary to reduce runoff. Staff confirmed compliance with stormwater management requirements and now recommends approval. Plans for the required traffic signal at the intersection were also included.

Megan Pasco of Tanner Consulting, representing the developer of Spring Creek Crossing, reported that since the previous meeting, the developer, contractor, and property owner have maintained ongoing communication with both city staff and neighboring residents to address construction-related concerns. They have implemented additional erosion control measures, including silt fencing, rock check dams, and sodding the eastern slopes. The property owner has been actively monitoring the site after each rainfall and responding to feedback. Ms. Pasco noted that further erosion control efforts are planned as the project progresses and offered to answer any questions the Council may have.

Gary Benuzzi, a longtime Broken Arrow resident living in South Fork Estates, spoke in opposition to the current state of the Spring Creek Crossing development. He described how the removal of the greenbelt behind his home has drastically worsened drainage conditions, leading to significant muddy water runoff into his backyard. This runoff has damaged landscaping-covered walkways and created a persistent flooding issue that extends to neighboring properties and the street. Although the developer has offered to clean up, Mr. Benuzzi emphasized that the problem persists with each rainfall and threatens features such as his koi pond. He urged for a permanent solution to stop the ongoing erosion and water intrusion.

Brad Farnsworth, a Broken Arrow resident, expressed support for neighbors affected by flooding from the Spring Creek Crossing development and raised two key concerns. First, he reported that just before the council meeting, he and a neighbor stopped a bulldozer from clearing mature trees near a retention pond—trees that were supposed to remain unless utilities necessitated removal. Mr. Farnsworth questioned why a 30-foot swath was being cleared merely to install silt fencing and emphasized the irreversible loss of trees that had already been removed. Second, he asked why the sewer line was being routed near existing homes rather than through the new development area where trees have already been cleared. Though he did not directly impact himself, he spoke on behalf of his neighbors and requested clarification and corrective action.

Mr. Farnsworth, council members, city staff, and representatives from the developer and Tanner Consulting discussed concerns raised by residents regarding the unexpected removal of trees and the placement of a sewer line near the 50-foot buffer zone on the west side of the Spring Creek Crossing development. Residents cited an agreement in the PUD that required the preservation of mature trees within the buffer unless removal was necessary for utilities or drainage. Brad Farnsworth reported that trees had been bulldozed not for sewer installation but for silt fence placement, which contradicted that understanding. Megan Pasco clarified that the sanitary sewer only runs along a short section at the southwest corner, adjacent to Reserve A and three specific lots, and then shifts east, away from the buffer. She confirmed that tree removal is allowed under the PUD only when required for drainage or utility access. A site meeting was scheduled for the following morning to review the affected area, determine if removal violated the buffer agreement, and address residents' concerns. Council members expressed frustration with the situation, especially the loss of mature trees and repeated issues during the development process, emphasizing the need to prioritize existing residents' concerns and better protect the neighborhood's integrity.

Dustin Fletcher, a resident, shared an updated video documenting ongoing flooding and sediment runoff from the Spring Creek Crossing development into his South Fork neighborhood property. He described persistent drainage problems, including muddy driveways, ponding in his backyard, a flooding patio, and water intrusion into a storage building—issues he says have continued despite the developer's erosion control efforts. Fletcher expressed appreciation to city officials who have visited the site and attempted to address concerns but condemned the developer for showing no direct engagement or accountability. He urged the Council and City Manager to prevent this developer from undertaking future projects in Broken Arrow, stating the development has been harmful and mismanaged, and called for immediate resolution.

Jason Langley, a resident, voiced ongoing frustration over drainage problems from the Spring Creek Crossing development impacting his and his neighbors' properties. He acknowledged that the developer had installed sod and rock along the slope as previously agreed. Still, he emphasized that these measures had not resolved the runoff issues, as water continued to flood his driveway, damage his retaining wall, and cause mold and flooding inside his garage. He

argued that his driveway should not function as a drainage ditch, regardless of rain intensity, and urged the Council to delay final plat approval until a real solution is in place. Mr. Langley also raised a procedural concern, pointing out a discrepancy between the original PUD, approved with 132 lots and three detention ponds, and the current plat, which shows houses replacing one of those ponds in the very area, causing the most severe drainage issues. He requested clarification on who authorized that change and called for the restoration of the removed detention pond to mitigate further damage.

Kenneth Schwab, Assistant City Manager of Operations, offered a detailed explanation addressing residents' concerns about drainage, erosion, and changes to the Spring Creek Crossing development. The preliminary plat from 2024 showed a detention pond near properties affected by runoff; however, engineering studies later determined that placing a pond there would increase the duration and volume of water flowing into neighboring yards. To prevent prolonged runoff through the Vanussis' and other South Fork residents' properties, the developer moved the detention pond north and redirected a majority of drainage through a storm sewer system that will eventually route water away from those properties.

Mr. Schwab acknowledged that, although the area naturally drained in that direction long before development, construction activities have intensified both water flow and sediment issues. Although final construction is not yet complete, city engineers have confirmed that when finished, the system will reduce runoff from 5 acres to 2.16 acres. In response to continued flooding and property damage, the city proposed a long-term solution: installing a public storm sewer system within the Spring Creek greenbelt to collect runoff and pipe it through private properties into an existing city inlet—made possible by a 2018 voter-approved bond allowing public funds on private land when there's a public benefit. However, implementation is paused due to potential litigation, as modifying existing site conditions could complicate legal proceedings.

Regarding the PUD, Mr. Schwab clarified that PUDs establish zoning and high-level development criteria (such as buffers and amenities). Still, specific engineering details—including the final placement of detention ponds—are determined later. Though the PUD map was conceptual, it complied with city ordinances. He concluded that the developer must still address sediment runoff and restore affected private properties; however, long-term drainage infrastructure improvements could follow, pending a resolution of the legal issues.

Mr. Langley expressed appreciation for the City's efforts to find a solution to the drainage issues caused by the Spring Creek Crossing development. Still, he questioned the use of taxpayer-funded GO Bond money to fix a problem created by the developer. They argued that the developer should bear the financial responsibility. The proposed solution—installing a public drainage system—would require a new easement between neighboring driveways, further reducing the remaining 24-foot buffer, which has been significantly reduced due to grading changes. The resident noted that the site has already been sodded and grading finalized, yet runoff issues persist, making it unclear how further reduction in water flow is expected to occur. They emphasized their concern has always been with the volume and impact of water—not sediment—and concluded by thanking the Council for listening.

Mr. Schwab acknowledged that while the developer has met the city's drainage criteria mathematically—validated through two methods—significant runoff issues remain in practice. He explained that the proposed public drainage solution would be limited to the greenbelt area and not encroach on private yards, aiming to collect and redirect water more effectively. Mayor Debra Wimpee raised the valid concern that taxpayers shouldn't have to fund a fix for a problem caused by a developer. Mr. Schwab agreed and clarified that the city plans to meet with the developer to determine the extent of financial responsibility the developer will assume in addressing the issue.

Natalie Langley, a resident, challenged the claim that recent heavy rains are abnormal, citing Oklahoma Mesonet data showing that this year's rainfall is only slightly above average and consistent with past years. She emphasized that the flooding issues began in February and have worsened steadily—not due to exceptional rainfall but due to the development's impact. She explained that the area behind South Fork lost its topsoil during construction, leaving only clay beneath the new sod, which cannot absorb water effectively, causing persistent pooling. Ms. Langley argued that simply laying sod is not a viable long-term fix, as it will take years for the soil to regain proper absorption capacity. She also disputed the idea that South Fork's drainage was inadequate before development, noting that it had managed runoff effectively until grading altered the terrain and turned it into a channel. She concluded by suggesting that runoff should be redirected into the new detention pond near the Creek Turnpike—where no homes are located—instead of flowing into residential properties and questioned why that option had not been pursued.

Mr. Schwab acknowledged Ms. Langley's point that runoff issues are not solely tied to

unusually high rainfall and confirmed that April and May 2025 marked the highest recorded rainfall period in Oklahoma history, with the Tulsa area receiving about 20 inches in 60 days. While he agreed this has been a heavy rain season, he emphasized that the genuine concern is managing the total water volume, not just the frequency. He also affirmed that redirecting runoff to the detention pond near the Creek Turnpike is a viable option that could be evaluated further when the Drainage Advisory Committee item moves forward and an engineer is hired. Additionally, he agreed with Ms. Langley's observation that clay beneath newly laid sod lacks the absorption capacity of topsoil, reinforcing that simply sodding the slope is not an immediate or sufficient fix.

Ms. Langley clarified that the flooding issues began in February, not during the record-setting rains of April and May. She pointed out that February saw only 0.68 inches of rain, yet that minimal amount was enough to cause significant runoff and flooding—demonstrating that the problem lies in the development's impact on drainage, not just the volume of rainfall. She reiterated that the issues have persisted and worsened since then, independent of extreme weather events.

Megan Pasco, representing both Tanner Consulting and the developer, stated that if the Council is not comfortable moving forward, she formally requests the item be tabled. She clarified Tanner's role as the engineering firm responsible for design—not construction—and emphasized that they do not operate machinery or manage on-site activities. Ms. Pasco stressed that this project has been a daily focus for her and Tanner Consulting over the past six weeks, underscoring their commitment to addressing community concerns. She assured the Council that the developer and contractor have met multiple times with neighbors to resolve issues, including cleanup efforts for the Benuzzi property, which is still ongoing. Regarding the recent tree removal incident raised by Mr. Farnsworth, she explained it was a new development and committed to assessing the situation during a scheduled site visit the following morning.

Ms. Pasco reiterated Tanner Consulting's ongoing commitment to addressing the issues at the Spring Creek Crossing development, clarifying that while Tanner is the engineer of record, it is not responsible for construction activities, such as tree removal. She emphasized the firm's diligence in marking boundaries and communicating with contractors and expressed willingness to follow up on Mr. Farnsworth's concerns during a scheduled site visit. Ms. Pasco also acknowledged the complexity of drainage engineering and affirmed confidence in the work by both Tanner and city staff.

However, the Mayor and Council members voiced intense frustration over the absence of the builder—the individual ultimately responsible for the development's performance. While they appreciated Ms. Pasco's professionalism and clarity, they insisted the builder must appear before the Council and residents to address the ongoing problems directly. The Mayor stated the item will not return to the agenda until the builder is present to be held accountable and respond to the community's concerns. Ms. Pasco acknowledged and accepted the directive, agreeing to relay the message.

MOTION: A motion was made by Lisa Ford, seconded by Johnnie Parks
Move to Table Item 25-626 approval of PT-001984-2025|PR- 000157-2023, Conditional Final Plat, Spring Creek Crossing, approximately 36.99 acres, 132 Lots, RS-4(Single-Family Residential)/PUD-001360-2024 (Planned Unit Development), located north of Tucson Street (121st Street) and approximately one-quarter mile west of 9th Street (Lynn Lane Road/177th Avenue)

The motion carried by the following vote:

Aye: 4

David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee

B. 25-753 Consideration, discussion, and possible approval of COMP-002093-2025(Comprehensive Plan Change), Aequitas Tucson Development, 11.72 acres, Levels 2 & 3 to Levels 3 6, & Greenway/Floodplain, located approximately one-eighth mile south of Tucson Street (121st Street) and one-half mile west of Elm Place (161st East Avenue)

Rocky Henkel, Director of Community Development, presented Item 25-753, Comp Plan amendment 2093-2025, a request to change the land use designation for approximately 11.72 unplatted acres from a mix of Level 2 (urban residential) and Level 3 (transition) to Level 3 and Level 6 (regional employment/commercial and Greenway floodplain). The site lies south of Tucson and west of Elm Place. While part of the property was previously approved for multifamily zoning under PUD 340 and BAZ 2113 in 2022, no plat was filed. If this new plan is approved and followed by a rezoning and PUD, the previous approvals will be nullified.

The applicant aims to develop three distinct uses: RM (multifamily residential) on the west, IL (light industrial) in the center, and CH (commercial heavy) on the east, divided by a floodplain area. A draft PUD has been submitted outlining the general development concept. The Planning Commission approved the amendment 4-0 on May 22, 2025, based on staff recommendations,

which included the requirement that a Planned Unit Development (PUD) consistent with the context be approved and that the property be platted. One resident submitted a letter of opposition, citing concerns about the reduced green space and the project's location on the south side of Tucson. Staff recommends approval under the stated conditions, and the applicant or their representative is available to answer questions.

Only one letter of opposition was received, which cited concerns about reduced green space and questioned why the development wasn't located north of Tucson Street. Mr. Henkel clarified that the applicant does not own property on the north side. In response to a question about the proposed number of multifamily units, it was stated that the current plan includes 68 units. However, that number may change during the rezoning, platting, and engineering phases.

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

Move to Approve Item 25-753 COMP-002093-2025(Comprehensive Plan Change), Aequitas Tucson Development, 11.72 acres, Levels 2 & 3 to Levels 3 6, & Greenway/Floodplain, located approximately one-eighth mile south of Tucson Street (121st Street) and one-half mile west of Elm Place (161st East Avenue)

The motion carried by the following vote:

Aye: 4

David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee

C. 25-754 Consideration, discussion, and possible approval of PUD-002040-2025 (Planned Unit Development) and BAZ-002088-2025 (Rezoning), The Plaza at Forest Ridge, approximately 17 acres, located south of Kenosha Street (71st Street) and one-half mile east of Oneta Road (241st E. Avenue)

Rocky Henkel, Director of Community Development, presented Item 25-754, PUD 2040-2025, and BAZ 2088-2025, involving approximately 17 unplatted acres located on South Kenosha Street, half a mile east of Oneta Road. The proposal supports a mixed-use "town center"-style development, with Commercial General (CG) zoning along Kenosha for typical commercial uses and Commercial Mixed-Use (CM) zoning in the interior, allowing a blend of residential and commercial uses while protecting adjacent residential areas to the south.

The PUD includes design standards for single-family attached, live-work, and multifamily units, which require townhouse-style construction consistent with the standards of the Downtown Residential Overlay District. Parking requirements are reduced by 50% due to the mixed-use nature and shared parking opportunities, including overflow parking from the neighboring Forest Ridge Golf Club. Final access and circulation designs will be defined during the platting process, with Kenosha Street serving as the primary access point.

The Planning Commission approved item 4-0 on May 22, 2025, with staff recommendations and an added condition addressing short-term rentals. The PUD now includes language waiving the 300-foot distance requirement for short-term rental licenses within the development without affecting properties outside the PUD.

Concerns were raised regarding tree removal, traffic, stormwater management, and noise. The property owner committed to preserving or replacing trees near neighboring subdivisions, requiring a traffic signal for the project to proceed, and widening Kenosha Street to five lanes. Additionally, a previously proposed but since removed tunnel under Kenosha was proposed for recreational traffic. Noise concerns will be addressed with landscaping and buffers. One resident opposed the project, citing concerns about flooding in Covington Estates. Staff recommended approval, and the Mayor invited the property owner to present further details.

Davis Robson, Vice President of Development for the Robson Company, presented the concept behind the proposed Planned Unit Development (PUD), emphasizing its division into three key zones. The first zone along Kenosha Street is intended as a commercial gateway, ideal for high-visibility tenants such as quick-service restaurants, with flexibility for office, retail, or dining and opportunities for tenant ownership. The second zone is the mixed-use core, designed to serve as the project's central hub for shopping, dining, events, and community gatherings, all centered around a central green space. The third zone, situated along the southern boundary, is a residential corridor that serves as a buffer to existing neighborhoods while providing convenient access to amenities.

Mr. Robson noted that the current approval phase pertains only to allowed uses, but concept exhibits were included to illustrate the intended vision. He shared visuals showing the development's scale, the center green space, and examples of live-work units—two- to two-and-a-half-story buildings that combine commercial and residential use. Robson concluded by introducing Katy O'Meilia from TSW to discuss zoning and PUD specifics.

Katy O'Meilia of TSW elaborated on the zoning and planning aspects of the proposed PUD, reaffirming that the request includes Community mixed-use and General Commercial zoning.

She outlined the development's structure: Area B as the commercial gateway with restaurant pad sites—designed to be pedestrian-friendly by requiring rear-located drive-thrus; Area A as the mixed-use core with buildings fronting sidewalks and parking located behind, emulating a traditional main street layout; and Area C as the residential buffer, offering a gradual transition from commercial to nearby existing homes.

Ms. O'Meilie emphasized the PUD's focus on walkability, safety, and aesthetics, highlighting the extensive inclusion of green space. This includes a central community green, heavily landscaped streets with tree-lined corridors and an additional communal garden area in the townhome section. She noted that these elements exceed standard development requirements, enhancing the project's livability and visual appeal. She concluded by inviting Preston Bartley to speak on utilities and infrastructure.

Preston Bartley, the project's civil engineer, provided an overview of the development's infrastructure and drainage strategy. He explained that three access points and private streets—built to public standards—will serve the site, with sidewalks connecting internally and to nearby trails. Utilities are already in place or accessible: water is available along Kenosha, an existing sewer line is located at the rear, and a public storm drain system is in place to which the site's detention will discharge, ensuring that runoff does not affect neighboring properties.

He highlighted that the southwest detention area will serve a dual role, both as green space and a dry basin to manage stormwater. Another open space in the eastern section will serve as a fire lane, designed in consultation with the fire department. Mr. Bartley also addressed PUD deviations from standard zoning requirements, such as reduced lot widths and setbacks, especially for the narrow, single-family attached townhomes, which will be subdivided along shared walls. He then passed the presentation to Kevin Maevers to conclude with details on public outreach efforts.

Kevin Maevers, Director of Development Services, summarized the development team's public outreach efforts and addressed concerns from residents and the Planning Commission. He explained that multiple meetings were held with over a hundred attendees, many of whom expressed enthusiasm for the project and its potential to bring needed commercial and community space to east Broken Arrow.

In response to concerns, he assured the Council that all future tenants, including national brands, would be required to follow the project's architectural guidelines to maintain a cohesive and visually appealing environment. He addressed parking concerns by confirming that while the development seeks a reduced parking requirement due to its mixed-use nature, there will still be ample parking on-site, supported by additional off-site spaces through an agreement with a neighboring golf course. A driveway connection and valet service will further improve accessibility.

He explained that the reduced parking model is based on the varied peak hours of different businesses, allowing for shared use of spaces throughout the day. Despite the formal reduction request, the project already exceeds the needed parking in some areas.

Mr. Maevers concluded by expressing confidence in the planning and design behind the development. They requested Council support for zoning and PUD approval to move the project forward, emphasizing the team's readiness to address any additional questions or concerns that may arise.

The Mayor expressed overall enthusiasm for the proposed development, with particular excitement from one who lives nearby and sees the project as a significant benefit to the east side of the city. While acknowledging that not everyone in the area may be thrilled about losing the rural quietness, she noted the value of additional restaurants, green spaces, and entertainment options.

There was concern about how the project abuts the Covington Estates neighborhood, particularly regarding stormwater runoff. The developer assured the Council that hydrology studies will be done carefully to prevent negative drainage impacts on adjacent properties.

Questions were also raised about the waiver request for the city's short-term rental spacing requirement. The developer clarified that the waiver would apply only within the project boundaries and would not affect surrounding neighborhoods, such as Covington. The purpose is to allow for controlled short-term rentals, potentially for visiting tournament guests or similar uses, with retained ownership and oversight by the developer to ensure the properties remain well-maintained and issues such as noise are managed. The council cautioned that plans should be clearly communicated and labeled for transparency.

Parking was another topic of discussion, particularly regarding how much of it would rely on

the adjacent golf club's lot. The developer clarified that, within the proposed boundaries, the site currently meets approximately 83% of the standard parking requirements, with flexibility built in to further reduce the criteria, depending on the tenant mix and peak-use patterns. Council members acknowledged the logic behind the reduction, noting that shared parking among tenants with different business hours could work well, especially in a walkable, mixed-use development.

City staff and council members commended the development team for their planning and community outreach. They also emphasized their trust in the developer's experience and commitment to the city, expressing optimism about moving forward to the following stages and recognizing the project's long-anticipated potential for the area.

MOTION: A motion was made by Johnnie Parks, seconded by Lisa Ford
Move to Approve Item 25-754, PUD-002040-2025 (Planned Unit Development) and BAZ-002088-2025 (Rezoning), The Plaza at Forest Ridge, approximately 17 acres, located south of Kenosha Street (71st Street) and one-half mile east of Oneta Road (241st E. Avenue)

The motion carried by the following vote:

Aye: 4
David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee

- D. 25-785** Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1665, a Resolution of the City of Broken Arrow, Oklahoma (the "City") approving action taken by the Broken Arrow Municipal Authority (the "Authority") authorizing issuance, sale and delivery of the Authority's Series 2025A Promissory Note to Oklahoma Water Resources Board; ratifying and confirming a Lease Agreement; ratifying and confirming a Sales Tax Agreement; and containing other provisions related thereto

MOTION: A motion was made by Johnnie Parks, seconded by David Pickel
Move to Approve Item 25-785 authorization to execute Resolution No. 1665, a Resolution of the City of Broken Arrow, Oklahoma (the "City") approving action taken by the Broken Arrow Municipal Authority (the "Authority") authorizing issuance, sale and delivery of the Authority's Series 2025A Promissory Note to Oklahoma Water Resources Board; ratifying and confirming a Lease Agreement; ratifying and confirming a Sales Tax Agreement; and containing other provisions related thereto

The motion carried by the following vote:

Aye: 4
David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee

- E. 25-786** Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1667, a Resolution of the City of Broken Arrow, Oklahoma (the "City") authorizing the Broken Arrow Economic Development Authority (the "Authority") to assist the City in carrying out and administering the Hackberry Market Economic Development Project Plan adopted by the City; approving the incurrence of indebtedness by the Authority issuing its Tax Apportionment Bonds, Taxable Series 2025 (Hackberry Market Increment District Project) (the "Bonds") in one or more series; providing that the organizational document creating the Authority is subject to the provisions of the Indenture authorizing the issuance of said Bonds; waiving competitive bidding and authorizing the sale of said Bonds by the Authority at negotiated sale and at a price less than par; approving and authorizing execution of a Security Agreement by and between the City and the Authority pertaining to the pledge of certain sales tax increment revenues; approving the forms of a Continuing Disclosure Agreement and an Official Statement; approving the use of assistance in development financing; approving and authorizing execution of a Development Financing Assistance Agreement and containing other provisions relating thereto

MOTION: A motion was made by Lisa Ford, seconded by Johnnie Parks
Move to Approve Item 25-786, authorization to execute Resolution No. 1667, a Resolution of the City of Broken Arrow, Oklahoma (the "City") authorizing the Broken Arrow Economic Development Authority (the "Authority") to assist the City in carrying out and administering the Hackberry Market Economic Development Project Plan adopted by the City; approving the incurrence of indebtedness by the Authority issuing its Tax Apportionment Bonds, Taxable Series 2025 (Hackberry Market Increment District Project) (the "Bonds") in one or more series; providing that the organizational document creating the Authority is subject to the provisions of the Indenture authorizing the issuance of said Bonds; waiving competitive bidding and authorizing the sale of said Bonds by the Authority at negotiated sale and at a price less than par; approving and authorizing execution of a Security Agreement by and between the City and the Authority pertaining to the pledge of certain sales tax increment revenues; approving the forms of a Continuing Disclosure Agreement and an Official Statement; approving the use of assistance in development financing; approving and authorizing execution of a

Development Financing Assistance Agreement and containing other provisions relating thereto

The motion carried by the following vote:

Aye: 4

David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee

F. 25-778 Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1662, a Resolution authorizing execution of and accepting a purchase and sales agreement of Real Estate in connection with an economic development agreement; and approval and authorization to execute the purchase and sale agreement and an Economic Development Agreement between CSI Aerospace, City of Broken Arrow and Broken Arrow Economic Development Authority

Jennifer Rush, Economic Development Director, presented Item 25-778, a resolution (1662) related to a real estate purchase and sales agreement as part of a broader initiative tied to Arrow Forge and the city's Innovation District. She noted that her portion of the agenda was limited to this resolution and emphasized that the larger economic development effort has involved multiple contributors over the years. The initiative is expected to support job growth and retail expansion in South Broken Arrow. She then deferred to Amber Miller of the Broken Arrow Economic Development Corporation to present the full details of the economic development agreement.

Amber Miller, Vice President of Economic Development for the Broken Arrow Economic Development Corporation, presented "Project Flight," an expansion initiative by CSI Aerospace, a long-standing local employer. CSI plans to relocate and grow into a 40,000-square-foot advanced manufacturing facility on 10 acres within the planned AeroForge Innovation District. This project will anchor the district and is positioned as a catalyst for the growth of aerospace and advanced manufacturing in South Broken Arrow.

CSI is committing over \$6.1 million in capital investment across five years, including \$5.5 million for construction and \$600,000 in new equipment. The company will retain 108 full-time jobs and create around 50 new high-wage positions averaging \$50,000 annually. To support this expansion, the city is proposing performance-based incentives, including a 10-acre land grant, a tiered job-creation incentive of up to \$500,000, and capital investment reimbursements, which may include up to \$28,316 in permitting fees, as well as expedited permitting.

Ms. Miller emphasized that the project is a key step in launching AeroForge as a regional hub for innovation and employment, with significant returns expected for the community and economy. She concluded by requesting formal approval of the real estate and economic development agreements.

MOTION: A motion was made by Lisa Ford, seconded by David Pickel

Move to Approve Item 25-788, authorization to execute Resolution No. 1662, a Resolution authorizing execution of and accepting a purchase and sales agreement of Real Estate in connection with an economic development agreement; and approval and authorization to execute the purchase and sale agreement and an Economic Development Agreement between CSI Aerospace, City of Broken Arrow and Broken Arrow Economic Development Authority

The motion carried by the following vote:

Aye: 4

David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee

11. Preview Ordinances

A. 25-775 Consideration, discussion, and possible preview of an ordinance amending Chapter 3.5, Airports, Heliports, Takeoffs, and Landings of the Broken Arrow Code of Ordinances providing for special use permits for commercial air tour operations; amending Sections 3.5-1, 3.5-2, 3.5-2.1, 3.5-3, 3.5-4, and 3.5-5; providing for severability; repealing conflicting ordinances; and establishing an effective date; and declaring an emergency.

City Attorney Trevor Dennis explained a proposed ordinance change that would permit helicopter operations in Broken Arrow under a new special-use permit for commercial air tours. Currently, helicopters can only operate from permitted heliports, temporary City Council-authorized sites, during emergencies, or for nonrecurring events. The amendment, prompted by a request from pilot Bryce Doyle of CFI Tulsa Aviation Hub and directed by the City Manager, creates a permit process limited to Broken Arrow property owners. It requires a 300-foot buffer from neighboring properties, restricts operations to between 10 a.m. and 6 p.m., and mandates on-site posting and notifications to nearby property owners. Each permit would be valid for one day, with a maximum of six issued per six-month period. Approval authority is delegated to the city clerk or their designee, thereby eliminating the need for Council hearings on each application.

Following the City Attorney's explanation of the new ordinance allowing limited helicopter use through a special use permit, Mr. Doyle, a pilot with CFI Tulsa, addressed the Council to answer questions but added that the attorney had fully covered the topic. Council members discussed how the ordinance would help streamline community-focused events such as egg drops, which currently require inefficient trips back to Tulsa for resupply due to landing restrictions. Support was expressed for making such events easier by enabling temporary, city-permitted landings.

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

Move to set for adoption of an ordinance amending Chapter 3.5, Airports, Heliports, Takeoffs, and Landings of the Broken Arrow Code of Ordinances providing for special use permits for commercial air tour operations; amending Sections 3.5-1, 3.5-2, 3.5-2.1, 3.5-3, 3.5-4, and 3.5-5; providing for severability; repealing conflicting ordinances; and establishing an effective date; and declaring an emergency.

The motion carried by the following vote:

David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee

Aye: 4

12. Ordinances

- A. 25-758 Consideration, discussion, and possible adoption of Ordinance No. 3848, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-001788-2024, along with PUD-001787-2024 generally located one-half mile north of East Houston Street (81st Street) and one-quarter mile east of 9th street (177th East Avenue/ Lynn Lane Road), granting RM (Residential Multifamily) zoning classification upon the tract along with PUD-001787-2024, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency**

Rocky Henkel, Director of Community Development, presented Item 25-758, which the City Council had previously approved on January 7, 2025, for rezoning case BAZ 1788-2024 and PUD 1787-2024 for a 12.32-acre property from agricultural to residential multifamily use. The ordinance and emergency clause were adopted on January 21. However, due to a publication failure by the Tulsa World, the ordinance was not published as required by state law. Staff is now requesting that the Council re-approve ordinance 3848 and its emergency clause to ensure proper legal recording. Documentation from the Tulsa World is included in the packet.

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

Move to Approve Item 25-758 adoption of Ordinance No. 3848, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-001788-2024, along with PUD-001787-2024 generally located one-half mile north of East Houston Street (81st Street) and one-quarter mile east of 9th street (177th East Avenue/ Lynn Lane Road), granting RM (Residential Multifamily) zoning classification upon the tract along with PUD-001787-2024, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

The motion carried by the following vote:

David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee

Aye: 4

- B. 25-759 Consideration, discussion, and possible approval of an emergency clause for Ordinance No. 3848; 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 David Pickel

Move to Approve Item 25-759, an emergency clause for Ordinance No. 3848; it being immediately necessary for the preservation of the public peace, health, safety, or welfare, an emergency is hereby declared to exist

David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee

Aye: 4

13. Remarks and Inquiries by Governing Body Members

Mayor Debra Wimpee shared several upcoming community events. Concerts in the Park begin tomorrow—weather permitting—and will be held on Tuesdays throughout June, prompting the Council meeting to shift to Mondays so members can attend. She highlighted Flag Day on June 14, hosted by the Military History Center, encouraging more public participation. A Ward 1 meet-and-greet is scheduled for Wednesday from 6:00 to 8:00 p.m. at the Broken Arrow Public Schools Event Center, offering residents the opportunity to visit the facility. The community block party is planned for June 27-28. She also briefly acknowledged an upcoming luau and asked if anyone else had any announcements or wanted to share about their recent trip.

Council Member Lisa Ford shared that she and Mayor Wimpee had just returned from the Women in Municipal Government Conference in San Antonio, which approximately 60 elected

officials attended. She announced that the conference will be held in Broken Arrow next year as she will serve as the national president, a role that allows the host city to be the president's hometown. Planning for the event is already underway.

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

City Manager Michael Spurgeon noted that Councilman Green was unable to attend the meeting due to a work obligation but had conveyed his regrets. He thanked CSI Aerospace for their continued investment in Broken Arrow and their role as the first tenant in the Innovation District. He also praised Amber Miller and the Economic Development Corporation for their exceptional work in driving the project forward, highlighting her dedication and key role in making the initiative possible.

At approximately 9:13 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 Lisa Ford, seconded by Johnnie Parks
Move for a recess for BAMA and BAEDA
The motion carried by the following vote:
David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee

Aye: 4

At approximately 9:47 p.m., the room was cleared for Executive Session.

MOTION: A motion was made by Lisa Ford, seconded by Johnnie Parks
Move to clear the room for Executive Session
The motion carried by the following vote:
David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee

Aye: 4

At approximately 9:52 p.m. City Council entered into Executive Session.

15. 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 Heather Fox v. City of Broken Arrow, Tulsa County District Court, Case No. CJ-24-3934, and taking appropriate action in open Session, if any, under 25 O.S. §307(B)(4);**

No action taken.

- 2. A pending investigation and claim, including potential resolution, of a matter involving the tort claim of Briar Todd, Tort Claim No. TRT 1652.2025, and taking appropriate action in open Session, if any, under 25 O.S. §307(B)(4);**

- 3. A pending investigation and claim, including potential resolution, of a matter involving the tort claim of James Michael Ritz, Tort Claim No. TRT 1656.2025, and taking appropriate action in open Session, if any, under 25 O.S. §307(B)(4);**

- 4. A pending investigation and claim, including potential resolution, of a matter involving the tort claim of Pricilla Carrick, Tort Claim No. TRT 1660.2025, and taking appropriate action in open Session, if any, under 25 O.S. §307(B)(4);**

- 5. A pending litigation is known as Richard McMahon v. City of Broken Arrow, U.S. District Court for the Northern District of Oklahoma, Case No. 25-CV-207-JFJ, 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 Debra Wimpee
Move to find the Executive Session necessary to process the pending Tort claims and litigation included in Items 1 through 5 on the Agenda.
The motion carried by the following vote:
David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee

Aye: 4

MOTION: A motion was made by Johnnie Parks, seconded by David Pickel
Move to deny the Tort claim of James Michael Ritz, Pricilla Carrick, and Briar Todd
The motion carried by the following vote:
David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee

Aye: 4

MOTION: A motion was made by Johnnie Parks, seconded by David Pickel
Move to authorize the City Attorney to defend the city in the matter of Richard McMahon v. City of Broken Arrow

The motion carried by the following vote:
Aye: 4 David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee

16. Adjournment

The meeting adjourned at 10:18 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: 4 David Pickel, Lisa Ford, Johnnie Parks, Debra Wimpee

Mayor

City Clerk