



City of Broken Arrow

AMENDED Special Meeting Minutes

City Council Meeting

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

City Hall
220 S 1st Street
Broken Arrow OK
74012

Tuesday, February 25, 2025

Time 6:30 p.m.

Council Chambers

1. Call to Order

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

2. Invocation

Pastor Andrew Conley led the invocation.

3. Roll Call

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

4. Pledge of Allegiance to the Flag

Council Member Lisa Ford led the pledge.

5. Consideration of Consent Agenda

- A. 25-10 Approval of the City Council Meeting Minutes of February 4, 2025
- B. 25-242 Acceptance Planning Commission meeting minutes of January 16, 2025
- C. 25-243 Acceptance Planning Commission meeting minutes of January 23, 2025
- D. 25-215 Acceptance of Drainage Advisory Committee meeting minutes of October 28, 2024
- E. 25-233 Approval of and authorization to execute Resolution No. 1630, a Resolution authorizing the City Attorney to defend Leon Rademacher in the matter of John Winningham et al. v. City of Broken Arrow et al. Case No. 24-cv-62-JDR, in the U.S. District Court for the Northern District of Oklahoma
- F. 25-234 Approval of and authorization to execute Resolution No. 1631, a Resolution authorizing the City Attorney to defend Scott Bennett in the matter of John Winningham et al. v. City of Broken Arrow, et al. Case No. 24-cv-62-JDR, in the U.S. District Court for the Northern District of Oklahoma
- G. 25-232 Approval of and authorization to execute Resolution No. 1632, a Resolution authorizing the City Attorney to defend Tiffany Jessie Koch in the matter of John Winningham et al. v. City of Broken Arrow et al. Case No. 24-cv-62-JDR, in the U.S. District Court for the Northern District of Oklahoma
- H. 25-187 Approval of and authorization to execute a Waiver of Conflict of Interest between the Center for Economic Development Law "Law Firm" and the City of Broken Arrow involving the Center for Economic Development's representation of The Robson Companies and any affiliates and sponsors, with respect to certain economic development matters and subjects as they relate to the City of Broken Arrow
- I. 24-1678 Approval of and authorization to execute Agreement for Transportation Planning Support with Kimley-Horn and Associates, Inc. for providing traffic master plan evaluations and related support services (2552170)
- J. 25-201 Approval of and authorization to renew subscription to SolarWinds Web-Service Desk pursuant to the Oklahoma State Purchasing Contract
- K. 25-185 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 less than \$50,000.00 or less
- L. 25-229 Approval of and authorization to purchase two used BMW motorcycles for the Police Department traffic division from the Oklahoma Highway Patrol
- M. 25-216 Acceptance of the Drainage Advisory Committee's recommendation to deny the expenditure of 2018 General Obligation (GO) Bond, Proposition 6 funds to construct improvements to a creek bank in the Estates of Birchwood subdivision
- N. 25-80 Acceptance of the Drainage Advisory Committee's recommendation to approve expenditure of 2018 General Obligation (GO) Bond, Proposition 6 funds for retaining an engineering consultant to design a set of construction plans to mitigate erosion along

- O. 25-176 Adams Creek adjacent to the Preserve Park Regional Detention Pond (Case No. 25-002) Approval of BAZ-001762-2024 (Rezoning), 510M, approximately 3.46 acres, RM (Residential Multi-Family), CN (Commercial Neighborhood), & CH (Commercial Heavy) to ON (Office Neighborhood), located approximately one-third mile north of Kenosha Street (71st Street), east of Elm Place (161st E. Avenue)
- P. 25-241 Approval of PT-001942-2024|PR-000627-2024, Conditional Final Plat, Timber Ridge Residential, approximately 35.30 acres, 141 Lots, A-1 (Agricultural) to RS-4 (Single-Family Residential) and RD (Residential Duplex)/PUD-334, located south and west of the southwest corner of Albany Street (61st Street) and 37th Street (209th E. Avenue)
- Q. 25-179 Acceptance of a Drainage Easement from Margaret Couch Scraper, Trustee of the Margaret Couch Scraper Family Trust, dated March 23, 2006, on property generally located at the northeast corner of the intersection of 9th Street and Washington Street in Broken Arrow, Oklahoma, located in the Southwest Quarter of Section 13, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma. Parcel 3.A for the 9th Street widening from Houston Street to Washington Street (Project No. ST2027)
- R. 25-178 Approval of and authorization to execute Resolution No. 1629, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 3.0, which consists of 1.56 Acres of permanent Right-of-Way, generally located at the northeast corner of 9th Street and Washington Street in Broken Arrow, Oklahoma, in the Southwest Quarter of Section 13, Township 18 North, Range 14 East, Tulsa County, Oklahoma, from Margaret Couch Scraper, Trustee of the Margaret Couch Scraper Family Trust, dated March 23, 2006, and authorization of payment in the amount of \$163,800.00 for the 9th Street widening from Houston Street to Washington Street, Parcel 3.0 (Project No. ST2027)
- S. 25-189 Approval of and authorization of Final Acceptance for the public improvements at Action Power Sports located at 2150 West Concord Circle
- T. 25-190 Approval of and authorization of Final Acceptance for the public improvements at Battle Creek Church Parking Lot located at 3025 North Aspen Avenue
- U. 25-191 Approval of and authorization of Final Acceptance for the public improvements at Express Oil Change located at 2250 West Norfolk Drive
- V. 25-192 Approval of and authorization of Final Acceptance for the public improvements at Outback Steakhouse located at 1421 East Hillside Drive
- W. 25-193 Approval of and authorization of Final Acceptance for the public improvements at Scuba Savvy located at 2000 East Albany Avenue
- X. 25-194 Approval of and authorization of Final Acceptance for the public improvements at The Estates at Ridgewood South located on East 81st Street near 257th East Avenue
- Y. 25-196 Approval of and authorization of Final Acceptance for the public improvements at Trails at Aspen Creek located at 2602 West Tucson Street
- Z. 25-197 Approval of and authorization of Final Acceptance for the public improvements at Whataburger Aspen Ridge located at 1902 West Norfolk Drive
- AA. 25-221 Ratification of the Claims List Check Register Dated February 10, 2025

MOTION: A motion was made by Justin Green, seconded by Lisa Ford.
 Move to approve Consent Agenda minus Items I. 24-1678 and P. 25-241
 The motion carried by the following vote:

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

6. Consideration of Items Removed from Consent Agenda

- I. 24-1678 Approval of and authorization to execute Agreement for Transportation Planning Support with Kimley-Horn and Associates, Inc. for providing traffic master plan evaluations and related support services (2552170)

Kenny Schwab, Assistant City Manager of Operations, presented Item I. 24-1678, approving a \$259,000 contract with Kimley-Horn for an updated traffic master plan. The previous plan, completed in 2009 by Jacobs Engineering, is outdated, and an update is needed to assess current and projected traffic conditions, including intersection delays and capacity. After reviewing proposals from qualified firms, Kimley-Horn was selected. The new plan will incorporate advanced technology, including GPS real-time data, to improve accuracy. The updated study will guide infrastructure improvements and future bond programs.

The council discussed the benefits of the updated traffic master plan, emphasizing its role in identifying whether traffic issues are intersection-specific or extend along entire road segments. Kimley-Horn was chosen for their expertise, having designed over half of the roundabouts in the U.S. and successfully worked with the city on past projects, including the Northern Square intersection and Amphitheater roadways. The plan continues discussions from an October work session, focusing on improving road design, widening strategies, and traffic management technology.

MOTION: A motion was made by Johnnie Parks, seconded by Justin Green.
 Move to approve Item I. 24-1678 Agreement for Transportation Planning Support with Kimley-Horn and Associates, Inc. for providing traffic master plan evaluations and related support services (2552170)

The motion carried by the following vote:

Aye: 5 -

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

- P. 25-241 Approval of PT-001942-2024|PR-000627-2024, Conditional Final Plat, Timber Ridge Residential, approximately 35.30 acres, 141 Lots, A-1 (Agricultural) to RS-4 (Single-Family Residential) and RD (Residential Duplex)/PUD-334, located south and west of the southwest corner of Albany Street (61st Street) and 37th Street (209th E. Avenue).**

Amanda Yamaguchi, Planning and Development Manager, presented Item P. 25-241, a conditional final plat application for Timber Ridge Residential, a 35-acre development with 141 lots west of Albany and 37th Street. The application has been reviewed and meets subdivision regulations. Based on the Planning Commission's recommendation, staff recommends approval.

The council discusses the Timber Ridge Phase One plat, which is being developed alongside Albany 40. While both developments meet subdivision requirements, their designs do not align, causing discrepancies in stub streets and detention ponds. Since Albany 40 has not yet submitted a conditional final plat, staff must evaluate Timber Ridge on its own merits, which meets all necessary criteria. However, adjustments will be required for Albany 40 to align with Timber Ridge. The discussion highlights concerns about coordination between developers and potential future rezoning near the intersection. The applicant and representatives are invited to speak further on the issue.

Attorney Tom Vogt, representing the Timber Ridge Phase One applicant, explains that the dispute between developers is a financial issue rather than a planning concern. Timber Ridge's design follows all city regulations, including a second entrance for traffic flow and emergency access. However, the adjoining developer, planning to develop their property in two phases, wants Timber Ridge to add a stub street to avoid the cost of extending their road earlier than planned. This would result in a financial loss for Timber Ridge by eliminating two lots. Vogt argues that Timber Ridge's current plan meets all requirements, and the neighboring developer's request is solely to avoid their expenses.

Nicole Watts Wallace from Wallace Design Collective explains that Phase Two will extend to the center of the street where the overhead electric lines are, while Phase Three will eventually connect to the road by the school. However, Phase Three is planned for the future and not part of the current phase. Construction in the area has been prioritized before adding an entrance later. She also comments on the impressive progress of the project.

Alan Betchan from AAV Engineering explains the complexities of two closely timed development projects, with his team submitting their plat second. Initially, the first project's layout differed, but sightline issues required adjustments. City staff intervened after noticing stub streets that didn't align, leading to discussions with Wallace Design Collective. Ultimately, adjustments resulted in his project losing three lots while accommodating road changes. Despite good-faith negotiations, the conditional final plat did not reflect agreed stub streets, prompting him to request that the matter be referred back to the planning commission for further discussion. He emphasizes that the issue isn't about non-compliance but ensuring an equitable solution, considering factors like hydrology between the two developments.

The council discussed a conflict between two adjacent development projects regarding road layouts, stub streets, and pedestrian access to a nearby school. Alan Betchan from AAV Engineering argues that changes to street plans resulted in a loss of lots for his development and that he was not given proper notice to address these concerns earlier. Nicole Watts Wallace from Wallace Design Collective counters that efforts were made to resolve the issue, but the other developer declined a meeting, leading them to proceed per city requirements.

The council expressed concerns about pedestrian access to Timber Ridge Elementary, as the current plan lacks a direct north-south connection, potentially creating traffic congestion and safety issues for students walking or biking to school. Some council members believe the project meets code requirements and should proceed, while others argue it should return to the planning commission to reassess connectivity solutions.

MOTION: A motion was made by Lisa Ford, seconded by Justin Green, Moved to refer Item P. 25-241 back to the Planning Commission.

The motion carried by the following vote:

Aye: 5 -

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

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

- A. 25-219 Presentation of upcoming Parks and Recreation micro-survey**

Aaron McColloch, Director of Communications for the City of Broken Arrow, presents a microsurvey for public input on parks and recreation priorities. He acknowledges Parks and Recreation Director Matt Hendren for his contributions. The survey builds on a comprehensive community livability survey conducted a year prior, which ranked parks and recreation as a top priority behind public safety, economic health, and utility infrastructure.

The micro survey will focus on three key areas: a potential new community center in South Broken Arrow, the Elam Park master plan, and expanding the city's trail system. The public will be asked to rank the importance of features such as a multi-court gymnasium, multipurpose spaces, a swimming pool with splash features, an indoor walking track, and an esports gaming space. Additionally, the survey will gather input on potential Elam Park amenities, including pavilions, synthetic turf, entertainment spaces, gardens, a disc golf course, sand volleyball, basketball and futsal courts, a skate park, a splash pad, exercise stations, and tennis/pickleball courts. The goal is to use the data to guide decisions for the 2026 bond, ensuring that funding aligns with community interests.

Mr. McColloch further discusses an overview of Broken Arrow's trail system and upcoming public surveys on park and recreation improvements. The city has 20.5 miles of trails, with 9.5 miles connected, primarily along Liberty Park Trailway. The survey will gauge public interest in expanding trails to key destinations such as the Rose District, New Orleans Square, and NSU BA Events Park. It will also assess support for additional recreational amenities, including a new dog park, outdoor pickleball courts, sand volleyball, and upgrades to youth sports fields.

Discussion follows on the importance of quality-of-life projects, with city officials emphasizing the economic and community benefits. The survey results will help determine priorities for the 2026 bond package, particularly regarding a new community center, which could be the largest project in the plan. Officials stress that Broken Arrow's strong reputation for youth sports and recreation is key to maintaining economic growth and attracting visitors. Mayor Wimpee expresses surprise at the city's extensive trail network, highlighting the survey's role in educating the community about existing amenities. The survey will launch in mid-March for three weeks, with results presented to the council afterward.

B. 25-231 Update on the 2026 General Obligation Bond Package

City Manager Michael Spurgeon provides a brief update, emphasizing the importance of the recent survey in shaping the upcoming bond package decisions. An internal subcommittee meeting is scheduled for the following Monday, where senior staff will review project updates and develop a tentative engagement schedule for council members. Soon, council members will receive compiled project recommendations from user groups, surveys, and public input for review. Multiple meetings are expected in June to refine project priorities before public forums around Labor Day. The focus is ensuring a structured timeline for council review and community engagement.

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) - NONE

9. General Council Business

A. 25-239 Consideration, discussion, and possible direction from the City Council on the Compensation of members of the City Council

City Manager Michael Spurgeon discusses the possibility of compensating elected officials, including the mayor and city council members, based on state statutes. Over the past few years, both current and former council members have inquired about this issue. In response, the city attorney, Trevor Dennis, was asked to review the relevant statutes and their application. While the statutes are relatively straightforward, their implementation requires further discussion. Given the evolving responsibilities of the Broken Arrow City Council, the speaker emphasizes the need for a conversation on whether compensation should be considered.

Trevor Dennis, City Attorney, explained that for city council members to receive compensation, an ordinance must be passed defining the payment structure, including salary or benefits. However, due to constitutional restrictions, sitting members cannot immediately receive compensation; it only takes effect after an intervening election. With staggered council terms, some members would become eligible following the April 1, 2025, election, while others would have to wait until their next election cycle.

Mr. Dennis explains the legal framework, stating that an ordinance must be passed to establish compensation and can only take effect after an intervening election. Council members express support, noting how the role has evolved to include significantly more responsibilities, meetings, and community engagement.

Several council members reflect on the time commitment and expenses associated with serving,

with some suggesting that compensation could help attract more candidates. City Manager Michael Spurgeon presents research on compensation in comparable cities and recommends a range of \$12,000 for the mayor and \$9,000 for council members. Council members, while appreciative, emphasize that their primary motivation is public service rather than financial gain. The council agrees to draft an ordinance, which Trevor Dennis will prepare for an upcoming meeting.

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

Move to approve the Compensation of members of the City Council

The motion carried by the following vote:

Aye: 5 -

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

B. 25-204 Consideration, discussion, and possible action to approve the Visit Broken Arrow Film Incentive in an initial amount of \$100,000.00

Makala Barton, Tourism Manager, proposes a local film incentive pilot program for TED staff and the Visit Broken Arrow board. She highlights Oklahoma's booming film industry, with major productions like Killers of the Flower Moon, Tulsa King, and Twisters bringing significant attention to the state. Emphasizing the economic and tourism benefits of film production, she introduces a short video produced by the state's film and music office that showcases the industry's impact on Oklahoma's economy and community.

Ms. Barton highlights the economic benefits of film production, including job creation and support for local businesses. Drawing from successful state and local incentives, Broken Arrow would offer a 10% rebate on qualified local spending, funded from reserves, with no cap beyond the initial \$100,000 budget. The program includes unique incentives, such as leveraging hotel conference spaces as production areas and reimbursing hotel stays.

The initiative aims to position Broken Arrow as a film-friendly destination, adding it to state and regional directories for location scouting. Council members express enthusiasm, noting past film-related interest in the city and the broader impact of productions like Killers of the Flower Moon. They discuss the need for future staffing if the initiative grows and recognize the program as a strategic investment in economic development and tourism. The council supports moving forward with the incentive, with excitement about its potential to attract significant productions to Broken Arrow.

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

Move to approve the Visit Broken Arrow Film Incentive in an initial amount of \$100,000.00

The motion carried by the following vote:

Aye: 5 -

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

C. 25-228 Consideration, discussion, and possible approval and authorization to execute an agreement with Trane U.S. Inc. for the Turnkey supply and installation of 25 Trane Package Rooftop Units, 1 Split System, 2 Mini-Split Systems, 1 Captiva Air Make-Up Unit, and a Trane Tracer Building Automation System at the Bass Pro Building through the OMNIA Partners Purchasing Cooperative

Ryan Baze, Director of Maintenance Services, presents a plan to replace the aging HVAC system at the city-owned Bass Pro facility. Following last year's roof replacement, the HVAC system has now reached the end of its lifespan, requiring the replacement of 25 rooftop units, mini splits, and a split system, along with a new building automation system. He emphasizes the poor condition of the current equipment and appreciates city management's support in prioritizing this project. The work will be completed through an OMNIA contract with Trane, which has successfully handled similar projects for the city. Trane will oversee the process from start to finish, coordinating logistics such as crane operations and scheduling while working closely with Bass Pro to minimize disruptions.

MOTION: A motion was made by Justin Green, seconded by David Pickel

Move to approve and authorize execution of an agreement with Trane U.S. Inc. for the Turnkey supply and installation of 25 Trane Package Rooftop Units, 1 Split System, 2 Mini-Split Systems, 1 Captiva Air Make-Up Unit, and a Trane Tracer Building Automation System at the Bass Pro Building through the OMNIA Partners Purchasing Cooperative

The motion carried by the following vote:

Aye: 5 -

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

D. 25-237 Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1633 for Northeastern State University - Broken Arrow to become a traditional four-year public university and supporting Oklahoma Senate Bill SB701 that would accomplish this endeavor

City Manager Michael Spurgeon acknowledges the presence of key figures, including NSU President Dr. Rodney Hanley, Vice President Dan Mabery, businessman Greg Graham, and Tiffany Shepherd from the chamber, in support of SB 701. The council is asked to consider adopting a resolution of support for the bill, which has already passed the Senate Education Committee unanimously and is moving through the legislative process. The bill aims to officially designate NSU Broken Arrow as part of the city rather than the Tulsa metropolitan area and allow it to offer lower-division courses, transforming it into an entire four-year university. The initiative is framed as a long-term community goal, dating back to the early 1990s, with previous sales tax approvals and Vision 2025 funding supporting the university's development. The speaker emphasizes the economic, educational, and social benefits of a four-year institution in Broken Arrow and invites NSU representatives to address the council before any action is taken.

Dr. Rodney Hanley, President of Northeastern State University, emphasizes his top priority of expanding the Broken Arrow campus to offer first- and second-year courses, transitioning it into an entire four-year university. He highlights the importance of providing students with a complete college experience beyond community college options, including extracurricular activities and a stronger campus community. He believes this expansion will significantly contribute to Broken Arrow's economic and regional development. Dr. Hanley strongly supports Senate Bill 701, noting its unanimous bipartisan approval (11-0) in the State House Education Committee. He acknowledges the dedication of local elected officials and urges the council to support the resolution.

Dan Mabery expresses gratitude to the council and emphasizes that the effort to establish a four-year university in Broken Arrow results from years of collaboration between elected officials and the community. He highlights that Broken Arrow lags behind the national average in bachelor's degree attainment by about 23,000 degrees, and having a whole university in the city would help close that gap, support local students, and boost workforce development. He stresses the economic benefits of attracting new industries and jobs to the area. While acknowledging the progress made with the bill passing the education committee, he recognizes that significant work remains and asks for the council's continued support in making this vision a reality.

The discussion reflected broad support for NSU Broken Arrow's transition into a four-year university, with officials expressing enthusiasm for the progress. Mayor Wimpee and City Manager Spurgeon acknowledge the past challenges in achieving this goal, crediting the leadership of Dr. Hanley and Dan Mabery for pushing it forward. Concerns about potential enrollment loss at NSU Tahlequah are addressed, with Dr. Hanley explaining that the expansion will complement rather than compete with Tahlequah, potentially boosting enrollment at both campuses.

Officials highlight the long-term economic and educational benefits for Broken Arrow, emphasizing the opportunity to retain local talent and attract new industries. They commend state legislators' efforts, particularly Senators Gillespie and Haste, for their advocacy in advancing SB 701.

Gregory Graham, Chairman and CEO of First National Bank, speaks on behalf of the Economic Development Corporation (EDC), expressing full support for NSU Broken Arrow's expansion into a four-year university. He shares that on February 20th, the EDC unanimously passed a resolution endorsing the city's resolution and Senate Bill 701. Reflecting on past discussions with his father, he highlights that Broken Arrow and the Tulsa metro area remain among the largest U.S. cities without a public four-year university, emphasizing that after 30 years, now is the time to take action. He concludes by thanking city leaders for their efforts.

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

Move to approve and authorize execution of Resolution No. 1633 for Northeastern State University - Broken Arrow to become a traditional four-year public university and supporting Oklahoma Senate Bill SB701 that would accomplish this endeavor

The motion carried by the following vote:

Aye: 5 -

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

- E. 25-235 Consideration, discussion, and possible approval of a list of the City of Broken Arrow's priorities to present to Oklahoma members of Congress at National League of Cities Advocacy on Capitol Hill Day on Wednesday, March 12, 2025, in Washington, D.C.**

Aaron McColloch, Director of Communications, standing in for Community Relations Manager Lori Hill, presents an updated list of priorities for the upcoming National League of Cities (NLC) trip, following council feedback from the February 4th meeting. After consulting with staff and City Manager Michael Spurgeon, the final list includes concerns such as inflation, energy policy, public safety, direct federal funding for municipalities, redirecting wasteful government spending to capital improvement grants, water and sewer infrastructure funding, interchange improvements at Elm Place and Lynn Lane on Highway 51, opposition

to federal election nationalization, resistance to federal overreach on local zoning, and proper disposal of rechargeable batteries to prevent fire hazards and pollution. He requests council feedback and approval.

MOTION: A motion was made by Lisa Ford, seconded by David Pickel, Move to approve a list of the City of Broken Arrow's priorities to present to Oklahoma members of Congress at National League of Cities Advocacy on Capitol Hill Day on Wednesday, March 12, 2025, in Washington, D.C.

The motion carried by the following vote:

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

10. Preview Ordinances

A. 25-173 Consideration, discussion, and possible preview of Ordinance No. 3849, an ordinance amending Chapter 5 Animals, Article I, In General; Section 5-21

Trevor Dennis, City Attorney, presents proposed changes to the exotic animal ordinance. The first change removes the five-person committee responsible for reviewing exotic animal permits, shifting that responsibility to the animal control supervisor and a qualified veterinarian due to difficulties in maintaining the committee and a lack of necessity. The second change, requested by former Vice Mayor Gillespie, sought to exempt a specific type of tortoise from the exotic animal classification. However, Animal Control Supervisor Tim Boni opposes making exceptions, arguing that the current permitting system is sufficient. Additionally, the tortoise species in question is endangered and, if not adequately housed, could cause property damage. The recommendation is to eliminate the committee but not exempt any specific exotic animals now.

MOTION: A motion was made by David Pickel, seconded by Lisa Ford Move to adopt Ordinance No. 3849, an ordinance amending Chapter 5 Animals, Article I, In General; Section 5-21

The motion carried by the following vote:

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

11. Ordinances

A. 25-224 Consideration, discussion, and possible adoption of Ordinance No. 3850, an ordinance creating a Vehicle Replacement Fund to ensure funds availability for the purchase of city-wide vehicles to be determined in the future, and approve the emergency clause

Cindy Arnold, Finance Director, introduces Ordinance 3850, establishing a vehicle replacement fund to ensure dedicated funding for future vehicle purchases. This fund will be budgeted annually and follow the city's purchasing policies, allowing for flexibility in making timely purchases, such as taking advantage of discounts or pre-ordering vehicles like fire trucks with long production times. City officials discuss the benefits of the fund, reflecting on past vehicle purchases and the improvements in the city's fleet over the years.

The conversation shifted to appreciating city staff, particularly their dedication during challenging conditions. Council members commend the team for their professionalism and informative communication with citizens. A lighthearted discussion follows about the city's response to a temporary delay in trash pickup, with council members praising the community for understanding the situation and supporting city staff's safety efforts.

MOTION: A motion was made by Lisa Ford, seconded by Johnnie Parks Move to adopt Ordinance No. 3850, an ordinance creating a Vehicle Replacement Fund to ensure funds availability for the purchase of city-wide vehicles to be determined in the future, and approve the emergency clause

The motion carried by the following vote:

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

B. 25-225 Consideration, discussion, and possible approval of an emergency clause for Ordinance No. 3850

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

Move to approve the emergency clause for Ordinance No. 3850

The motion carried by the following vote:

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

12. Remarks and Inquiries by Governing Body Members - NONE

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

City Manager Michael Spurgeon addresses a petition submitted in January, which requested increased policing and code enforcement, implying that the city was not adequately addressing these issues. After reviewing the petition and a related fundraising solicitation from an outside organization, he responded directly to the petition signers.

City Manager Spurgeon reads his official response aloud, reaffirming that Broken Arrow enforces public safety and code regulations. He emphasizes that claims of non-enforcement are unfounded, highlighting that the city prioritizes law enforcement, maintains well-kept neighborhoods, and has a strong quality of life. He clarifies that Broken Arrow is not affiliated with the National Police Association and does not receive funding from them. Additionally, he presents crime statistics showing that the city's crime rate compares favorably to other large Oklahoma cities and is well below the national average. He reassures residents that the city council remains committed to public safety through proper funding and staffing of the police department. The letter encourages citizens to contact city officials or the police department with any concerns.

City Manager Spurgeon confirms that he will send a follow-up letter to the resident who received a fundraising request from an outside organization, clarifying that the city is not affiliated with the National Police Association and advising them to do their research.

City Manager Spurgeon then shifted to fireworks, acknowledging last year's rain on July 3rd and 4th, which led to residents shooting fireworks outside the permitted timeframe and raising questions about whether the city could extend the allowed period. The ordinance does not grant anyone the authority to make such a decision. Given recent community discussions and a council member's request, Spurgeon proposes that the council consider an amendment allowing either the city manager, mayor, or a designated official to authorize fireworks within a limited window—potentially up to a week after July 4th—if weather prevents their use on the designated days. He asks the council to discuss and decide on this proposal at their next meeting.

MOTION: A motion was made by Justin Green, seconded by Johnnie Parks
Move to Recess to BAMA BAEDA 8:37 p.m.

The motion carried by the following vote:

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

MOTION: A motion was made by Johnnie Parks, seconded by Lisa Ford
Move to clear room 8:45 p.m.

The motion carried by the following vote:

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

MOTION: A motion was made by Johnnie Parks, seconded by Lisa Ford
Move to enter Executive Session 8:52 p.m.

The motion carried by the following vote:

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

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

1. A pending investigation and claim, including potential resolution, of a matter involving the tort claim of the Ariana Ruiz, Tort Claim No. TRT 1560.2024 and taking appropriate action in open session, if any, under 25 O.S. §307(B)(4);

2. The possible purchase and appraisal of real property located at the northeast corner of Washington and Main, Broken Arrow, Oklahoma, and possible action in open session, including authorization to negotiate for the potential purchase of this property and obtain additional appraisals for this property under 25 O.S. § 307(B)(3).

MOTION: A motion was made by Johnnie Parks, seconded by Justin Green
Move to find executive session was necessary to discuss pending litigation under 25 O.S. Section 307(B)(4) and the possible purchase of property under 25 O.S. Section 307(B)(3).

The motion carried by the following vote:

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

MOTION: A motion was made by Johnnie Parks, seconded by Justin Green
Move to authorize the City Attorney to settlement the tort claim of Ariana Ruiz in the amount recommended by the City Attorney.

The motion carried by the following vote:

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

MOTION: A motion was made by Johnnie Parks, seconded by Justin Green
Move to authorize the City Manager to negotiate the purchase of real property located at the northeast corner of Washington and Main, Broken Arrow, OK.

The motion carried by the following vote:

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

15. Adjournment

The meeting was adjourned at approximately 9:20 p.m.

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

The motion carried by the following vote:

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

Mayor

City Clerk