



City of Broken Arrow

Minutes

City Council Meeting

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

City Hall
220 S 1st Street
Broken Arrow OK
74012

Tuesday, September 16, 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. Invocation

Pastor Anita Manganaro led the Invocation.

3. Roll Call

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

4. Pledge of Allegiance to the Flag

The Pledge was led by Council Member David Pickel.

5. Consideration of Consent Agenda

- A. 25-23 Approval of the City Council Minutes of September 2, 2025
- B. 25-1318 Approval of the City Council Special Minutes of September 2, 2025
- C. 25-1323 Acceptance of Planning Commission meeting minutes of July 24, 2025
- D. 25-1329 Approval of and authorization to execute Budget Amendment Number 5 for Fiscal Year 2026
- E. 25-1274 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
- F. 25-1267 Approval of and authorization to execute State of Oklahoma Department of Transportation (ODOT) Supplemental and Modification Agreement No. 1 Project Maintenance, Financing, and Right Of Way Agreement for the 23rd Street (193rd East Avenue) Widening from Albany Street (61st Street South) to Omaha Street (51st Street South), Project Number J3 6448(004)IG, J/P 36448(04) (Project Numbers ST1931 and ST1932) and authorization to pay Oklahoma Department of Transportation Invoice
- G. 25-1270 Approval of PT 002332 2025|PR 000774 2024, Conditional Final Plat, Tiger Crossing, approximately 17.66 acres, 9 Lots, AG (Agricultural) to CG (Commercial General) and CM (Community Mixed Use)/PUD (Planned Unit Development) 001845 2024 via BAZ 001851 2024, located at the northwest corner of Albany Street (61st Street) and 23rd Street (193rd E. Avenue/County Line Road)
- H. 25-1277 Approval of and authorization to purchase eight (8) 2026 Chevy Tahoe Police Pursuit Vehicles from John Vance Fleet Services, pursuant to the Oklahoma Statewide Vehicle Contract #1000009315
- I. 25-1283 Approval of and authorization to purchase two 2025 Ford F150 Responder Pickups from Vance Ford, pursuant to the Oklahoma Statewide Vehicle Contract #1000009315
- J. 25-1284 Approval of and authorization to purchase one 2025 Chevy Traverse from Vance Chevrolet, pursuant to the Oklahoma Statewide Vehicle Contract #1000009315
- K. 25-1285 Approval of and authorization to purchase seven 2026 Ford Explorer Police Pursuit Vehicles from Vance Country Ford, pursuant to the Oklahoma Statewide Vehicle Contract #1000009315
- L. 25-1288 Approval of and authorization to execute all necessary documents with Blue Cross Blue Shield (BCBS of Oklahoma) to provide medical insurance network and third-party administration services, including adoption of the Plan Document and Summary Plan Description, effective January 1, 2026
- M. 25-1289 Approval of and authorization to execute necessary documents with VSP to provide fully insured services for employee vision benefits to be effective January 1, 2026
- N. 25-1290 Approval of and authorization to execute a renewal with MetLife to provide basic life, accidental death and dismemberment (AD&D), and long-term disability (LTD)

- insurance to eligible city employees to be effective January 1, 2026
- O. 25-1292 Approval of and authorization to purchase one (1) 2026 Chevy Blazer EV Police Pursuit Vehicle from John Vance Fleet Services, pursuant to the Oklahoma Statewide Vehicle Contract #1000009315
 - P. 25-1293 Approval of and authorization to execute a renewal with MetLife to provide voluntary life, accidental death and dismemberment (AD&D), and short-term disability insurance to City employees effective January 1, 2026
 - Q. 25-1298 Approval of and authorization to renew Datto Backupify storage agreement
 - R. 25-1299 Approval of and authorization to execute an agreement with Colonial Life to offer Accident, Cancer/Critical Illness, and Hospital Indemnity to all City employees
 - S. 25-1301 Approval of and authorization to purchase annual maintenance for Compellent Storage and Cisco Network Hardware through Park Place Technologies
 - T. 25-1303 Approval of and authorization to execute the Windstream Agreement to provide connectivity for the RTIC intersection cameras
 - U. 25-1309 Approval of and authorization to execute a renewal with Ameritas to provide network and administrative services for dental claims to be effective January 1, 2026
 - V. 25-1295 Approval of and authorization to execute Resolution No. 1701, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 5.0, consisting of 7,751 square feet of permanent Right of Way located at 20951 East 49th Street in Broken Arrow, Oklahoma, in the Southwest Quarter of Section 29, Township 19 North, Range 15 East, Wagoner County, Oklahoma, from Jose Avelar Lara and Francisca Velazquez, the owners, and authorization of payment in the amount of \$12,960.00 for the 37th Street Roadway Widening from Omaha Street to Dearborn Street. (Project No. ST21390)
 - W. 25-1311 Approval of and authorization to execute Resolution No. 1704, a Resolution of the Broken Arrow City Council amending the Fiscal Year 2026 Manual of Fees, establishing fees charged by the City of Broken Arrow; authorizing the periodic adjustment and waiver of fees by the City Manager; providing an effective date of October 1, 2025
 - X. 25-1313 Approval of and authorization to execute Resolution No. 1705 a Resolution authorizing acceptance of a General Warranty Deed for Parcel 14.0, which consists of 1,516 square feet of permanent Right of Way, located at 8200 South Lynn Lane Road in Broken Arrow, Oklahoma, in the Northeast Quarter of Section 14, Township 18 North, Range 14 East, Tulsa County, Oklahoma, from Middle America Steel Services, Inc., an Oklahoma Corporation, for the 9th Street widening from Houston Street to Washington Street, Parcel 14.0 (Project No. ST2027)
 - Y. 25-1275 Approval of and authorization to execute Amendment No. 1 to the Agreement for Professional Consulting Services with Freese and Nichols for the design plans to mitigate erosion along Adams Creek adjacent to the Preserve Park Regional Detention Pond
 - Z. 25-1272 Approval of and authorization to execute Amendment Number 3 to Agreement for Professional Consulting Services with Freese and Nichols, Inc. for the Houston Street Widening from 9th Street to Old Highway 51 (ST1926)
 - AA. 25-1271 Approval of and authorization to execute Amendment 1 to the Agreement for Professional Consultant Services with BKL, Inc. for the Innovation District Infrastructure Improvements project (2352100)
 - AB. 25-1308 Ratification of the Claims List Check Register Dated September 08, 2025

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

Move to Approve Consent Agenda

The motion carried by the following vote:

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

6. Consideration of Items Removed from Consent Agenda

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

- A. 25-1281 **Presentation of the Muscogee Nation Flag to be displayed at city facilities, in accordance with Ordinance No. 3890**

City Manager Michael Spurgeon invited Council Member Lisa Ford to share remarks about how the idea being celebrated originated, noting her role in bringing it forward. He expressed his excitement and said that after her comments, the ceremony would begin, with representatives from the Muscogee Creek Nation present and the Mayor ready to introduce them.

Council Member Lisa Ford explained that the idea to fly the Muscogee Creek Nation flag came after serving on an Oklahoma Municipal League panel, where tribal leaders emphasized partnership. She noted that Broken Arrow has long had a collaborative relationship with the Nation through efforts like the mural and Mission 22 statues, and she felt it was fitting to honor that by flying both the U.S. and Muscogee Creek Nation flags. Ford expressed pride that Broken Arrow would be the first city in Oklahoma to do so, playfully acknowledging competition with nearby Bixby, and shared her excitement that the

Council supported the effort and that the process had finally come together.

The City of Broken Arrow held a historic ceremony to formally begin flying the Muscogee Creek Nation flag alongside the U.S. flag. Mayor Wimpee and Councilor Ford highlighted the city's growing partnership with the Nation, recalling recent joint meetings and collaborative projects such as murals and statues. Council Member Ford explained that the initiative stemmed from her experience at an Oklahoma Municipal League event and her desire to recognize Broken Arrow's location on Muscogee land.

Mayor Debra Wimpee introduced tribal leaders in attendance, including Chief David Hill, Speaker Randall Hicks, and Secretary of Culture and Humanities Raelynn Butler. Chief Hill emphasized the honor of partnership and working together for mutual growth, while Speaker Hicks presented the flag and underscored unity across communities. Butler delivered a land acknowledgement prepared by the Nation, recognizing the Indigenous tribes originally inhabiting the area, the historical forced removal of the Muscogee people, and the city's roots in the Muscogee tribal town of Broken Arrow.

The ceremony concluded with photo opportunities, recognition of the Daughters of the American Revolution in connection with Constitution Week, and acknowledgments of guests, including Glenpool Mayor Joyce Calvert, recently honored as the Oklahoma Municipal League's Woman of the Year. The event celebrated both historical respect and contemporary collaboration between Broken Arrow and the Muscogee Creek Nation.

B. 25-1269 Presentation of and authorization to execute a Proclamation declaring the week of September 15 21, 2025, as Constitution Week

Mayor Debra Wimpee presented Item 25-1269, a proclamation declaring September 15–21, 2025, as Constitution Week in Broken Arrow. The declaration recognizes the U.S. Constitution as the foundation of liberty and the rule of law, notes the 238th anniversary of its framing on September 17, 1787, and cites Public Law 915 requiring annual observance. Mayor Debra Wimpee formally proclaimed the week and urged citizens to reaffirm the framers' ideals by safeguarding constitutional freedoms, affixing her signature and the city seal on September 16, 2025. The council then moved to approve the proclamation.

MOTION: A motion was made by Johnnie Parks, seconded by Lisa Ford
Move to Approve Item 25-1269, authorization to execute a Proclamation declaring the week of September 15 21, 2025, as Constitution Week

The motion carried by the following vote:

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

C. 25-1305 Presentation of and authorization to execute a Proclamation declaring the week of September 22 – 28, 2025, as Gold Star Families Remembrance Week in Broken Arrow, Oklahoma

Mayor Debra Wimpee presented Item 25-1305, proclaiming September 22–28, 2025, as Gold Star Families Remembrance Week in Broken Arrow, Oklahoma. She emphasized honoring the sacrifices of families who have lost loved ones in military service, noting the presence of a Gold Star family, the Kuhns, at the ceremony. The proclamation recognizes the burden borne by service members and their families in defending the nation, highlights their selfless example as an inspiration to others, and encourages citizens to observe the week through acts of service and goodwill in honor of these families. The proclamation was formally signed and dated September 16, 2025.

MOTION: A motion was made by Lisa Ford, seconded by David Pickel
Move to Approve Item 25-1305, authorization to execute a Proclamation declaring the week of September 22 – 28, 2025, as Gold Star Families Remembrance Week in Broken Arrow, Oklahoma

The motion carried by the following vote:

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

D. 25-1282 Presentation of and authorization to execute a Proclamation declaring September 16, 2025, as Metropolitan Environmental Trust Day, in the City of Broken Arrow, and encourage our citizens to participate in activities such as recycling, reducing, reusing, as a commitment to our community and the planet

Jerry Schubert, Solid Waste and Recycling Director, presented Item 25-1282. The city celebrated the 25th anniversary of its MET (Metropolitan Environmental Trust) recycling center, recognizing it as one of the most successful in the system. Over the past 25 years, the MET has collected about 33 million pounds of recyclable materials, including 7.5 million pounds of cardboard, 2.5 million pounds of plastic, and 9.3 million pounds of mixed paper. The program's success is credited to citizen participation and the dedication of staff and council members such as Lisa Ford. To mark the milestone, the facility has been cleaned,

repainted, landscaped, and updated with a new sign and banner. The recognition was framed as a community-wide achievement, with thanks extended to residents for their ongoing commitment to recycling.

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

Move to Approve Item 25-1282, authorization to execute a Proclamation declaring September 16, 2025, as Metropolitan Environmental Trust Day, in the City of Broken Arrow, and encourage our citizens to participate in activities such as recycling, reducing, reusing, as a commitment to our community and the planet

The motion carried by the following vote:

Aye: 5 -

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

E. 25-1140 Presentation and annual update by Metronet

City Manager Michael Spurgeon presented Item 25-1140. MetroNet representative Shana Brockett will brief the governing body on the company's progress in deploying services within the community, following an earlier promise to provide an update in late summer or early fall. She was introduced to share positive developments on how the rollout is going.

MetroNet's City Relations Manager, Shana Brockett, reported that since beginning work in Broken Arrow in July 2024, the company has invested \$35 million to deliver a 100% high-speed fiber optic network. Over the past year, more than 10,000 homes have been passed, with 730,000 feet of underground and 8,000 feet of aerial line installed, and an estimated 12–14 months remain on the project. Customer service metrics show over 700 tickets completed, a 4.8 out of 5 installation rating from 571 surveys, and a 97% on-time arrival rate. Power has now been connected to MetroNet's central hut, which feeds four service rings. Residents are notified of upcoming construction through a mailed letter, postcard, door hangers, and neighborhood signage. A construction website enables residents to submit tickets for issues like sprinkler systems or restoration, achieving a 99% response rate within 24 hours. Restoration is typically completed within 24–48 hours, with sites left level and ready for regular yard maintenance.

F. 25-1325 Presentation and discussion of upcoming micro survey about a potential 8th proposition on the April 2026 ballot

Aaron McColloch, Director of Communications, presented Item 25-1325, a preview of a microsurvey regarding a possible eighth proposition, and turned the floor over to City Manager Michael Spurgeon, who would provide background information to explain the proposal before presenting the survey itself.

City Manager Michael Spurgeon outlined the background for a potential eighth proposition in the April 2026 general obligation bond initiative, which is currently estimated at \$400 million in capital projects without raising the property tax rate. While \$1 billion in needs were identified, the package has been reduced to \$600 million, with further cuts required. Existing propositions cover transportation, public safety, parks and recreation, facilities, stormwater, drainage, and possibly the South Broken Arrow Library.

The proposed eighth proposition would address \$52 million in improvements to sports facilities, including soccer, baseball, football, lacrosse, fast-pitch, and slow-pitch softball, as well as infrastructure at Indian Springs Sports Complex. City Manager Spurgeon emphasized that Broken Arrow has lost ground to other cities in attracting youth sports tournaments due to outdated facilities lacking turf, lighting, and modern amenities, which impacts both recreation and economic development.

Unlike the property-tax-backed bond, this proposition would be funded by a temporary five-year sales tax dedicated exclusively to sports upgrades, with a sunset clause. City Manager Spurgeon noted that the current park's allocation of about \$55 million leaves little for neighborhood park upgrades after a new community center is built, making additional investment necessary. He framed the initiative as both vital to the community's quality of life and an economic boost through tournaments and tourism. A draft microsurvey was prepared to gauge residents' support, which the council would review through a short presentation.

Mr. McColloch explained that the proposed microsurvey on the potential eighth proposition would be short and modeled after the earlier South Broken Arrow Library survey. It would include an introduction summarizing the plan for a temporary half-cent sales tax increase, dedicated to \$52 million in sports facility improvements, with a five-year sunset and immediate project initiation if approved. The survey's main question will ask respondents to support or oppose the tax, followed by three demographic questions on age, voter status, and whether children under 17 live in the household. The survey is set to launch on September 22 and run for three weeks, aligning with the final public forum on September 25, with results presented to the council at its second October meeting.

Council Member Lisa Ford emphasized the need for voters to see tangible results from an eighth proposition on the ballot within a short timeframe. City Manager Spurgeon confirmed this, explaining that if approved by voters, the city could borrow the full \$52 million upfront, allowing all sports facility upgrades to be designed simultaneously within a year, bid out, and constructed over another one to one and a half years. The total process would take about three years, enabling the children of supporting parents to benefit quickly.

He contrasted this with including the improvements in the main bond package, where funding would be spread out over multiple years to maintain a stable tax rate, forcing the city to prioritize which sports facilities to upgrade first. The dedicated sales tax proposition would accelerate delivery, expand overall funding capacity, and support both a new community center and sports facilities.

City Manager Spurgeon noted that sports organizations have pledged to help mobilize support and educate their members ahead of the April 2026 election. Council also clarified that most propositions, including the potential eighth, would pass with a simple majority of 50.1%, except drainage, which requires 60%.

Brad Gordon, president of Broken Arrow Adult Softball and operator of the Challenger Sports Complex, voiced strong support for the proposed eighth proposition. He highlighted that while Challenger's new turf fields have been well received, the aging Indian Springs fields lag, and players dislike returning to dirt surfaces. Mr. Gordon reflected on the long delays in getting Challenger built, noting it took from early discussions in the mid-2000s until 2021 to open, underscoring the need for faster upgrades.

Mr. Gordon warned that Broken Arrow risks falling behind other communities, as places like Northwest Arkansas, Tahlequah, Choctaw, and Midwest City now have modern turf facilities that attract tournaments regardless of weather. Upgrading facilities would not only benefit local sports organizations but also strengthen Broken Arrow's identity as a sports town, drawing tournaments that support restaurants, hotels, and the broader economy. Mr. Gordon emphasized that Indian Springs, now decades old, urgently needs significant investment to stay competitive and serve both youth and adult athletes.

Tammy Seale, representing Broken Arrow Girls Fast Pitch Softball, spoke in full support of the proposed sports facility improvements, echoing earlier comments on the need for modernization. A resident of Broken Arrow for over 35 years, she raised three daughters who played locally and now has three granddaughters starting in the sport. She emphasized wanting to give them strong opportunities without having to leave town for tournaments.

Ms. Seale stressed that turf fields are critical, as frequent rainouts this spring canceled not only tournaments but also local league games. She highlighted safety concerns and the need for upgraded lighting and facilities. Parents, she noted, are eager for improvements and strongly supportive. Beyond serving local youth, she highlighted the economic and promotional benefits, noting that Broken Arrow is well-positioned to host larger fast-pitch events, particularly as Oklahoma City prepares to host the Olympics in a few years. Modernized facilities could make Broken Arrow a showcase destination for softball and broader sports tourism.

Chad Lott, president of Broken Arrow Youth Sports and executive director of Indian Nations Youth Sports, spoke in support of the proposed improvements, representing youth football, cheerleading, and lacrosse. He emphasized that Broken Arrow's user group model, which partners closely with the city, has allowed local leaders to expand programs and attract outside tournaments, making youth sports one of the city's top drivers of sales tax revenue.

Mr. Lott praised Nienhuis Park as a jewel that already draws teams statewide. Still, he said upgrades are needed to keep Broken Arrow competitive and transform it into a premier Midwest destination rather than just a stop between larger markets like Dallas and Kansas City. He noted that input from regional and national lacrosse groups helped shape improvement requests and argued that investments in facilities benefit both local children and the city's economy by fueling hotels, restaurants, and retailers. He closed by thanking city leaders for recognizing the importance of balancing community needs with regional opportunities.

Kevin Lemaster, second vice president and field manager for the soccer club, highlighted that the most significant need at Indian Springs is additional lighting. Out of 38 soccer fields, only 19 are lit, which severely limits tournament capacity—especially in the fall, when shorter daylight in November cuts available field time in half. This constraint reduces the number of teams and games that can be hosted on weekends. While turf fields are beneficial, particularly for lowering rain delays, Lemaster stressed that expanding lighting is the top priority to support larger tournaments and maximize the facility's use.

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

Move to Approve Item 25-1325, a micro survey about a potential 8th proposition on the April 2026 ballot

The motion carried by the following vote:

Aye: 5 -

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

G. 25-276 Update on the 2026 General Obligation Bond Package

City Manager Michael Spurgeon closed the discussion on the potential eighth proposition by noting appreciation for the Council's consideration and shifting focus to the final public forum on the 2026 bond package. Scheduled for September 25 at South Broken Arrow Baptist Church near 131st and Elm, the forum is expected to draw strong participation, as the area had the largest turnout in 2018. He praised staff members Shannon Marshall, Charlie Bright, and the engineering team, along with consultants, for their work in preparing the package. He encouraged residents to attend and provide input as the city narrows its list of projects from about \$600 million to \$400 million, emphasizing the importance of community engagement in shaping the bond initiative.

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. 25-1307 Consideration, discussion, and possible approval of Resolution 1703, 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 2025B 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

Cindy Arnold, Director of Finance, presented Item 25-1307, a Resolution 1703 authorizing the Broken Arrow Municipal Authority to refinance a 2015 FAP loan by issuing the 2025B bond series, not to exceed \$6.28 million. The refinancing will generate a net present value savings of about \$130,000, with total future savings of around \$490,000, and will shorten the repayment term by one year. Staff recommended approval, with John available to answer questions.

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

Move to Approve Item 25-1307, Resolution 1703, 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 2025B 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: 5 -

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

B. 25-1326 Consideration, discussion, and possible termination of Contract Number ST23310 with Ellis Concrete Construction, LLC on the Meadow Heights Concrete Panel Replacement and Repair

Charlie Bright, Director of Engineering and Construction, presented Item 25-1326, a brief to the council on serious problems with a contractor handling two residential rehab projects, including Meadow Heights. He explained that the requested vote was only to authorize beginning the termination process, not an immediate cancellation. If approved, the city would notify the contractor of its intent, allow them time to provide assurances and corrective action, and if unsatisfied, proceed with formal termination and surety bond procedures.

Mr. Bright detailed repeated issues: the contractor admitted to not reading the contract thoroughly before bidding; failed to compact dirt properly, leading to premature pavement cracking; lacked required on-site supervision; performed poor-quality work with jagged cuts and no form boards; and consistently delayed progress while disputing payment terms, including improper demands for compensation to pump rainwater. The breaking point came when the contractor refused to restore resident access to homes unless paid on its own terms, directly violating the contract. After finding them continuing to block access and tear up new driveways, Mr. Bright issued a stop-work order. He noted that the contractor has a representative present who wishes to speak, and the staff has scheduled a meeting for the next morning to determine if the firm can provide assurances before final action is taken.

Council members expressed intense frustration over the contractor's poor performance and treatment of residents, with several noting citizen complaints about blocked driveways, equipment left in place, and shoddy work. Some felt the city had already given the contractor too many chances, pointing out that Bright's team had to step in with city crews to restore

resident access after issuing a stop-work order.

Mr. Bright confirmed repeated problems: the contractor blamed the city for nonpayment despite all valid invoices being paid, failed to compact properly, and left behind defective work that may need to be redone. He explained that while termination authority would allow the city to start the process, the contractor must still be given the legal opportunity to correct deficiencies or provide assurances. Any city work performed to restore access would be deducted from the contractor's payment.

Council members emphasized their disappointment, noting that past neighborhood rehab projects had been well executed and that it was troubling to now receive complaints. Before moving further, the council agreed to hear from the contractor's representative to give them an opportunity to respond.

Amber Wells, Director of Operations for Ellis Concrete, defended the company's record and intentions, emphasizing its work with major clients like Amazon and American Airlines without prior issues. She stated that Ellis values integrity and does not want to leave behind substandard work, noting they keep extensive records, including photos and daily logs, to support their case.

She addressed the incident where residents were allegedly blocked from their driveways, explaining that concrete trucks require prepped space to pour properly. According to her, the city inspector canceled a car en route, which created additional problems, but Ellis has documentation of the situation. Wells argued that the subgrade conditions in the neighborhoods are poor, but said Ellis has been conducting proper density tests to meet specifications.

Ms. Wells expressed frustration with inconsistent communication, citing conflicting verbal directives from city staff that made it difficult to proceed. She emphasized that Ellis requires clear written instructions to prevent misunderstandings and assured that the company is committed to completing projects effectively. Ms. Wells closed by saying Ellis cares deeply about Broken Arrow and its residents, acknowledging the conflict but affirming they are "fighting for the city" and looking forward to resolving issues in the scheduled meeting with staff.

Mr. Bright clarified that while Ellis Concrete disputed the city's claims, the official record includes extensive documentation—over 200 pages of emails, reports, and photos—supporting the city's concerns. They emphasized this meeting was not the venue to debate those details, which will instead be addressed in negotiations and legal processes.

City Manager Spurgeon noted that Ellis's direct outreach to him was an attempt to bypass the proper chain of communication and confirmed that residents had indeed been blocked from their driveways, which was unacceptable and required city crews to intervene. He expressed hope that the scheduled meeting with Ellis could resolve matters, but reiterated confidence in the staff's handling of the issue.

Council member Justin Green voiced support for allowing the contractor the chance to present assurances under the termination process rather than making a "knee-jerk" decision. Mr. Bright explained that the timing of the stop-work order and preparation of termination documents did not allow a meeting before the council session. By voting now to authorize a notice of intent to terminate, the city would initiate the formal process, which legally gives the contractor an opportunity to provide satisfactory assurances and attempt to remedy the situation.

MOTION: A motion was made by Lisa Ford, seconded by Johnnie Parks
Move to Approve the start the process of termination of Contract Number ST23310 with Ellis Concrete Construction, LLC on the Meadow Heights Concrete Panel Replacement and Repair

The motion carried by the following vote:

Aye: 5 -

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

C. 25-1327

Consideration, discussion, and possible termination of Contract Number ST23300 with Ellis Concrete Construction, LLC on the Brentwood Concrete Panel Replacement and Repair

Charlie Bright, Director of Engineering and Construction, presented Item 25-1327, a second contract with Ellis Concrete, this one for work in the Brentwood neighborhood. He explained that the issues mirror those in Meadow Heights, including quality concerns, delays, and contract disputes. The vote under consideration would authorize the same termination process as before.

Amber Wells, Director of Operations for Ellis Concrete, explained that confusion on the

Brentwood contract began at the pre-construction meeting. She said the company was told the project would be managed the same way as Meadow Heights, with "quantities installed equal to quantities paid." However, once work began, a different inspector applied different practices, leading to inconsistencies and disputes. Wells said this shift in expectations created confusion and contributed to the problems that later developed on the project.

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

Move to Approve the start the process of termination of Contract Number ST23300 with Ellis Concrete Construction, LLC, on the Brentwood Concrete Panel Replacement and Repair

The motion carried by the following vote:

Aye: 5 -

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

D. 25-1317

Consideration, discussion, and possible approval of the FY'26 marketing services contract with InHouse Advertising

Makala Barton, Tourism Manager, presented Item 25-1317, the proposed fiscal year 2026 marketing contract, expressing gratitude for the chance to work on community initiatives and highlighting appreciation for colleagues. Since 2023, Visit Broken Arrow has partnered with InHouse, its first third-party marketing firm, which has elevated the city's branding and professional image. The new contract outlines estimated allocations for upcoming projects, including about \$12,500 for Bullseye-specific marketing, funding for the quarterly guide, general branding, and a significant emphasis on Christmas promotion, which accounts for more than a third of the budget. The allocations are flexible to accommodate adjustments once the strategic plan is finalized in the coming months. Ms. Barton requested council approval to continue with InHouse, noting that the Visit Broken Arrow Board had already endorsed the contract.

Council members discussed and praised Visit Broken Arrow's proposed FY2026 marketing contract and related initiatives. The team noted strong results from current campaigns, with Bullseye branding visible across media, wrapped vehicles, and even featured during a Tulsa International Airport news segment. Plans include expanding Bullseye ads to the Southwest Airlines baggage claim area, which would be covered under the existing marketing budget.

Mayor Wimpee reiterated her idea of incorporating Broken Arrow native Ralph Blaine, composer of "Have Yourself a Merry Little Christmas," into holiday promotions, and Councilor Ford confirmed the topic is scheduled for board discussion. Members playfully debated the early arrival of Christmas marketing, with some embracing it and others resisting.

The conversation also highlighted Broken Arrow's growing film industry presence, noting the city's first movie generated around \$1 million in economic impact, with more projects being discussed. Visit BA's podcast received recognition for quality and reach, with council members requesting future appearances. Council expressed overall enthusiasm for the marketing strategy, commended the work of staff, and moved toward approving continuation of the In-House marketing partnership.

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

Move to Approve the FY'26 marketing services contract with InHouse Advertising

The motion carried by the following vote:

Aye: 5 -

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

E. 25-1320

Consideration, discussion, and possible approval of four nominations and reappointments and one new nomination and appointment to the Visit Broken Arrow (VBA) board, with terms expiring September 30, 2027

Makala Barton, Tourism Manager, presented Item 25-1320, a review of upcoming reappointments for the Visit Broken Arrow Board. Of the nine seats, five were up this cycle. Four reappointments were proposed: Brian Dean, Tommy Yardy, Trevor Swanson, and Kathy Muskrat, each recognized for strong input and attendance. Three of these reappointments are Mayor Wimpee's selections, while one is Vice Mayor Parks's appointment.

A new nomination was also introduced: Sarah Lopp, owner of Funktified in the Rose District. Her boutique is known for its disco-inspired style and has become a regional destination, drawing visitors from multiple states—even as far away as Indiana. Lopp's entrepreneurial background includes founding Money Saving Queen, a platform with millions of monthly users and national media coverage, as well as managing ventures ranging from a produce co-op to turning around a semi-trailer repair business. With her track record of attracting visitors and fostering community growth, she was praised as a valuable addition to the board, expected to bring both creativity and economic insight.

Sarah Lopp shared her enthusiasm for joining the Visit Broken Arrow Tourism Board, noting how her store, Funktified, unexpectedly became involved in a recent movie filmed in Broken

Arrow. The production team selected props, wardrobe pieces, and even a booth from her shop, which appear in the film, and she described the experience of seeing her store's items on set as both exciting and surreal.

She explained that Funktified was intentionally designed as a destination store, and she's proud that it now attracts visitors from across the country, whether flying in or even riding motorcycles long distances to shop there. Alongside Funktified, she and her husband also run Funky Brims, a hat line that complements the boutique. Lopp described both ventures as creative midlife pursuits—hers with a bright, disco-inspired shop and his with stylish hats that have grown into a unique and successful draw for Broken Arrow's tourism and retail scene.

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

Move to Approve four nominations and reappointments, and one new nomination and appointment to the Visit Broken Arrow (VBA) board, with terms expiring September 30, 2027

The motion carried by the following vote:

Aye: 5 -

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

10. Preview Ordinances - NONE

11. Ordinances- NONE

12. Remarks and Inquiries by Governing Body Members

Mayor Wimpee highlighted upcoming community events, including Chalk It Up and the Rose Festival over the weekend, Rose Kites Over Broken Arrow on Sunday, and the "Pretty Good at Drinking Beer and Barbecue" festival before the next council meeting. She noted she would be granting a wish to a veteran during that event.

The meeting then shifted to recognition of City Manager Michael Spurgeon for his 10 years of service. Mayor Wimpee presented him with a plaque praising his leadership, vision, and commitment to Broken Arrow, while employees gifted him a box filled with hundreds of personal notes. She expressed gratitude for his partnership and emphasized his importance to the city's success.

Representative Ross Ford followed with a formal citation from the Oklahoma House of Representatives, commending City Manager Spurgeon for guiding Broken Arrow through a decade of growth, overseeing the \$210 million bond package, revitalizing key districts, fostering public-private partnerships, and increasing the city's net assets by 83%. He also highlighted Spurgeon's numerous professional awards.

Council members offered their own remarks. Vice Mayor Parks reflected on the city's deep ties with the Muscogee Creek Nation and the honor of partnership. Council Member Justin Green reported on the Oklahoma Municipal League Annual Conference, praising the learning opportunities and noting that Broken Arrow staff are regarded statewide as exemplary. Council member Lisa Ford added that many vendors at the conference praised Broken Arrow's staff by name, underscoring the city's strong reputation.

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

City Manager Michael Spurgeon closed with reflections and acknowledgments. He praised the record-setting Oklahoma Municipal League Conference for its energy and impact, thanking Mike Fina, the Board of Directors, and highlighting Mayor Joyce Calvert's recognition in the Hall of Fame. He expressed appreciation to local sports organizations, such as Travis Kelly and his family, for their commitment to the community and for supporting the upcoming survey on the proposed eighth bond proposition.

City Manager Spurgeon recognized John Wolf, the city's longtime financial advisor, for his decades of guidance and steady support in helping staff and council make sound fiscal decisions. He also shared a personal note, recalling how he first applied to be Broken Arrow's city manager in 2004 but was not selected, and how he believes that delay allowed him to be fully ready when he assumed the role 11 years later. Marking his tenth anniversary, he said the role still feels fresh and fulfilling, emphasizing how much progress has been achieved and how much lies ahead.

He highlighted the strong collaboration between city leadership, the chamber, and the school district, praising Superintendent Chuck Perry for raising Broken Arrow Public Schools to a new level, as evidenced by the energy and excitement at recent ribbon cuttings. Looking ahead to the April 2026 bond election, City Manager Spurgeon emphasized the need for continued teamwork and public engagement. He ended by thanking the council, directors, staff, and

especially employees who contributed to the box of heartfelt notes, which he said he eagerly anticipates reading.

At approximately 8:26 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 Justin Green, seconded by Johnnie Parks
Move for a recess for BAMA and BAEDA

The motion carried by the following vote:

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

At approximately 8:39 p.m., the room was cleared for Executive Session.

MOTION: A motion was made by Justin Green, seconded by Debra Wimpee
Move to clear the room for Executive Session

The motion carried by the following vote:

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

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

The motion carried by the following vote:

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

At approximately 8:43 p.m. City Council entered into Executive Session.

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 Steven and Karen Holman, Tort Claim No. TRT 1720.2026, and taking appropriate action in open session, if any, under 25 O.S. §307(B)(4);

MOTION: A motion was made by Johnnie Parks, seconded by Lisa Ford
Move to deny the tort claim of Steven and Karen Holman

The motion carried by the following vote:

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

2. Litigation, including potential resolution and settlement, of matters involving the worker's compensation claim of Michael G. Reiss, WCC #CM3 2023 00148P, including possible authorization to settle this claim, under 25 O.S. §307(B)(4)

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

Move to authorize the city attorney and outside counsel to settle the Workers' Compensation claim of Michael Reiss

The motion carried by the following vote:

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

In the opinion of the City Attorney, the Council is advised that the Executive Session is necessary to process the litigation and disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

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

Move to find the Executive Session necessary to process the pending tort claim and litigation

The motion carried by the following vote:

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

15. Adjournment

The meeting was adjourned at approximately 8:57 p.m.

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

The motion carried by the following vote:

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

Mayor

City Clerk