



**City of Broken Arrow**  
**Meeting Agenda**  
**Broken Arrow City Council**

*Mayor Debra Wimpee*  
*Vice Mayor Christi Gillespie*  
*Council Member Johnnie Parks*  
*Council Member Lisa Ford*  
*Council Member Justin Green*

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**Tuesday, February 6, 2024**

**6:30 PM**

**Council Chambers**  
**220 South 1st Street**  
**Broken Arrow, OK**

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**1. Call to Order**

**2. Invocation**

**3. Roll Call**

**4. Pledge of Allegiance to the Flag**

**5. Consideration of Consent Agenda**

- A. [24-66](#) Approval of the City Council Meeting Minutes of January 16, 2024
- B. [24-197](#) Acceptance Planning Commission meeting minutes of December 14, 2023
- C. [24-221](#) Acceptance Planning Commission meeting minutes of January 11, 2024
- D. [24-165](#) Approval of and authorization to execute Resolution No. 1588 authorizing the submission of an application under the Oklahoma Local Development and Enterprise Zone Incentive Leverage Act to the Oklahoma Department of Commerce
- E. [24-189](#) Approval of and authorization for the purchase and installation of synthetic turf for Leisure Park Playground from Landscape Structures, Inc., pursuant of the Sourcewell purchasing contract #010521-LSI for the Parks Department
- F. [24-180](#) Approval of and authorization to purchase annual maintenance for legacy network switches and the City Wi-Fi through Park Place Technologies
- G. [24-182](#) Approval of and authorization to purchase hardware and software from Presidio Network Systems to upgrade the core network at City Hall pursuant to the Oklahoma Statewide Purchasing Contract

- H. [24-181](#) Approval of and authorization to engage with Conquest Cyber as our MDR (Managed Detection and Response) provider through United Data Technologies pursuant to the Oklahoma Statewide Purchasing Contract
- I. [24-190](#) Approval of and authorization to award the most advantageous bid to JD Young for Request for Proposal for Copier Lease and Maintenance RFP Number 24.113
- J. [24-183](#) Notification of appointees for Phase 1 of the City Hall Initiative Committee
- K. [24-174](#) Approval of and authorization to execute change orders with CentralSquare Technologies for Getac interface and CAD API
- L. [24-220](#) Approval of BAZ-001107-2023 (Rezoning) and PUD-001242-2023, Antler Falls, 45.84 acres, AG (Agricultural) to RS-4 (Single-Family Residential), located on the southeast corner of Houston Street (81st Street) and Midway Road (257th East Avenue)
- M. [24-218](#) Approval of BAZ-001210-2023 (Rezoning), Kenosha & Oneta Commercial, 7.59 acres, A-1 (Agricultural) to CG (Commercial General), located one-quarter mile south of E. Kenosha St. (71st Street), one-quarter mile west of Oneta Road (241st E.Ave)
- N. [24-219](#) Approval of BAZ-001225-2023 (Rezoning), East QuikTrip on Kenosha, 1.84 acres, A-1 (Agriculture) to CN (Commercial Neighborhood), on the northeast corner of East Kenosha Street (71st Street) and Evans Road (South 225th East Avenue)
- O. [24-203](#) Approval of SP-001224-2023 (Specific Use Permit), Christian Brothers Automotive, 1.5 acres, A-1 (Agriculture) to CG (Commercial General)/SP-001224-2023, north of the northwest corner of County Line (South 193rd East Avenue), and East Albany Street (East 61st Street)
- P. [24-159](#) Acceptance of a Deed of Dedication from BA Brown, LLC on an unplatted property located at the southeast corner of Washington Street (91st Street) and 23rd Street (County Line Road), as shown in Exhibit A, Wagoner County, State of Oklahoma (Section 19, T18N, R15E)
- Q. [24-198](#) Acceptance of a Utility Easement from BA Brown, LLC on an unplatted property located at the southeast corner of Washington Street (91st Street) and 23rd Street (County Line Road), as shown in Exhibit A, Wagoner County, State of Oklahoma (Section 19, T18N, R15E)
- R. [24-205](#) Approval of and authorization of Final Acceptance for the public improvements at Creekside at Forest Ridge - Phase 1 located at 7200 East Kenosha Street

- S. [24-206](#) Approval of and authorization of Final Acceptance for the public improvements at Dollar General 101st Street located at 3701 South 23rd Street
- T. [24-204](#) Approval of and authorization of Final Acceptance for the public improvements at Kum and Go Aspen Ridge located at 5401 South Aspen Avenue
- U. [24-207](#) Approval of and authorization of Final Acceptance for the public improvements at Regional Hyundai located at 2380 West Kenosha Street
- V. [24-208](#) Approval of and authorization of Final Acceptance for the public improvements at Riverbrook Apartments located at 13522 South Aspen
- W. [24-209](#) Approval of and authorization of Final Acceptance for the public improvements at Village at 1Eleven located at 111th and Aspen Avenue
- X. [24-210](#) Approval of and authorization of Final Acceptance for the public improvements at Whiskey Ridge II located at North 23rd Street and East 31st Street
- Y. [24-185](#) Ratification of the Claims List Check Register Dated January 29, 2024

**6. Consideration of Items Removed from Consent Agenda**

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

- A. [24-167](#) Presentation and annual programming update by Broken Arrow Seniors

**8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services (No action may be taken on matters under this item)**

**9. General Council Business**

- A. [24-216](#) Consideration, discussion, and possible approval of and authorization to execute First Amendment to Economic Development Agreement by and among Sunset at Broken Arrow, LLC, and the Broken Arrow Economic Development Authority and the City of Broken Arrow
- B. [24-191](#) Consideration, discussion, and possible approval of and authorization to execute Change Order No. 1 with Cobalt Coatings for construction contract 2453160 - TS23120; Signalization Pole Improvements project
- C. [24-158](#) Consideration, discussion, and possible approval of a waiver of Section 24.104 of the Code of Ordinances for approximately 3.8 acres, R-1, approximately 720 ft south of Houston Street (81st Street) and directly West of Olive Avenue (South 129th East Avenue)
- D. [24-162](#) Consideration, discussion and possible approval of the formation of a committee to discuss the Overlay district at New Orleans Square

- E. [24-179](#) Consideration, discussion, and possible approval of Preliminary Report of the Housing & Demographic Study

## 10. Preview Ordinances

- A. [24-194](#) Consideration, discussion, and possible preview of an amendment to Broken Arrow Code of Ordinances Section 16-12, adding Section 16-12(a) (8), providing that noises between the hours of 10:00 p.m. and 12:00 a.m. Sunday through Saturday for the Broken Arrow Events Park and adjacent amphitheater shall not be deemed violations of the disturbing the peace ordinance and shall not be deemed a violation of this section

## 11. Ordinances

- A. [24-163](#) Consideration, discussion, and possible adoption of Ordinance No. 3815, an ordinance amending the Broken Arrow Code of Ordinances Chapter 5, Animals, Article I in General, Section 5-1 Definitions; specifically clarifying the definition of adequate shelter and nuisance animal; Section 5-6, deleting the dog/cat license fee, registration and tag generally; Section 5-10 Staking, confining or pasturing or tethering an animal, making it unlawful to keep animal on tether with certain recognized exceptions; Section 5-14.1 Management of dogs, cats, or ferrets that bite a person, specifically making it unlawful to refuse to confine a dog, cat or ferret that has bitten a person or other animal; Section 5-17, Cruelty to animals generally, adding additional behavior that constitutes an animal cruelty offense, including intentional harassment, overworking of an animal and allowing any animal to be provided to another person as a promotional item; Section 5-37 Redemption of impounded animal, removing requirement to provide a dog/cat license to redeem an impounded animal; Section 5-38, Destruction or sale of impounded animals; allowing for adoption of unclaimed animals after three days; sterilization of adopted dog or cat, additional factors the City may consider in refusing adoption of impounded animals, including when the applicant has a record of cruelty to animals, is under eighteen; has committed acts of harassment to animals; owns other animals in violation of Chapter 5; refuses to comply with adoption requirements; has released two or more animals to the Broken Arrow Animal Shelter in the last twelve months; lacks adequate housing for the adopted animal; has a conviction in Municipal Court for violation of Chapter 5; Section 5-40 Sale of animal, making it unlawful to offer or accept any animal for sale on any property not owned or rented by the seller or buyer with certain exceptions; repealing all ordinances to the contrary; and declaring an emergency
- B. [24-164](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3815

- C. [24-62](#) Consideration, discussion, and possible adoption of Ordinance No. 3817, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1734, along with PUD-172 generally located north of Kenosha Street (71st Street), one-quarter mile west of 9th Street (Lynn Lane), granting RD and CH zoning classification upon the tract along with PUD-172, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- D. [24-199](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3817
- E. [24-61](#) Consideration, discussion, and possible adoption of Ordinance No. 3818, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1995, along with PUD-273 generally located one-quarter mile north of Albany Street (61st Street), east of 23rd Street (County Line Road), granting RM (Residential Multi-Family) zoning classification upon the tract along with PUD-273, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- F. [24-200](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3818
- G. [24-63](#) Consideration, discussion, and possible adoption of Ordinance No. 3819, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1985, along with PUD-265 generally located north and west of the northwest corner of Jasper Street (131st Street) and 23rd Street (County Line Road), granting RS-2 (Single-Family Residential) zoning classification upon the tract along with PUD-265, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- H. [24-201](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3819
- I. [24-64](#) Consideration, discussion, and possible adoption of Ordinance No. 3820, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1911, generally located one-quarter mile east of Olive Avenue (129th East Avenue) and one-quarter mile south of Tucson Street (121st Street), granting RS-3 zoning classification upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency (Stone Horse IV)
- J. [24-202](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3820

- K. [24-211](#) Consideration, discussion, and possible adoption of Ordinance No. 3821, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1911, generally located one-quarter mile east of Olive Avenue (129th East Avenue) and one-quarter mile south of Tucson Street (121st Street), granting RS-3 zoning classification upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency (Stone Horse V)
- L. [24-212](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3821
- M. [24-213](#) Consideration, discussion, and possible adoption of Ordinance No. 3822, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-2063, generally located one-half mile east of Olive Avenue (129th East Avenue) and one-quarter mile south of Tucson Street (121st Street), granting RS-3 zoning classification upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency (Presley Reserve Blocks 1-2)
- N. [24-214](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3822

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

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

**14. Executive Session 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 eminent domain litigation proceeding, asserted by the City of Broken Arrow against Jack Edward Beighle et. al., Wagoner County Case CJ-2023-00035, and taking appropriate action in open session, including possible authorization to settle the proceeding, under 25 O.S. §307(B)(4);**

**2. Confidential communications regarding a claim, potential litigation, or actions related to a Class Action lawsuit involving the contamination of water supplies by certain manufacturers through the use of PFAS (per- and polyfluoroalkyl substances) under 25 O.S. §307(B)(4)**

**In the opinion of the City Attorney, the Council is advised that the Executive Session is necessary to process the claims and litigation and disclosure will seriously impair the ability of the public body to process the proceeding in the public interest. Moreover, that the Executive Session is necessary to protect the confidentiality of the investigation and potential litigation. 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.**

**15. Adjournment**

**NOTICE:**

If you wish to speak at this evening’s meeting, please fill out a “Request to Speak” form. The forms are available from the City Clerk’s table or at the entrance door. Please turn in your form prior to the start of the meeting. Topics are limited to items on the currently posted agenda, or relevant business.

All cell phones and pagers must be turned OFF or operated SILENTLY during meetings.

Exhibits, petitions, pictures, etc., shall be received and deposited in case files to be kept at the Broken Arrow City Hall. If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

21 O.S. Section 280 provides the following:

A. It is unlawful for any person, alone or in concert with others and without authorization, to willfully disturb, interfere or disrupt state business or the business of any political subdivision, which includes publicly posted meetings, or any agency operations or any employee, agent, official or representative of the state or political subdivision.

B. It is unlawful for any person who is without authority or who is causing any disturbance, interference or disruption to willfully refuse to disperse or leave any property, building or structure owned, leased or occupied by state officials or any political subdivision or its employees, agents or representatives or used in any manner to conduct state business or any political subdivision’s business or operations after proper notice by a peace officer, sergeant-at-arms, or other security personnel.

C. Any violation of the provisions of this section shall be a misdemeanor punishable by imprisonment in the county jail for a term of not more than one (1) year, by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

D. For purposes of this section, “disturb, interfere or disrupt” means any conduct that is violent, threatening, abusive, obscene, or that jeopardizes the safety of self or others.

A paper copy of this agenda is available upon request.

POSTED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m.

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