



City of Broken Arrow
Meeting Agenda
Broken Arrow City Council

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

Tuesday, May 6, 2025

6:30 PM

Council Chambers
220 South 1st Street
Broken Arrow, OK

1. Call to Order

2. Invocation

3. Roll Call

4. Pledge of Allegiance to the Flag

5. Consideration of Consent Agenda

- A. [25-661](#) Acknowledgement of out-of-state travel by City Council Members
- B. [25-15](#) Approval of the City Council Meeting Minutes of April 15, 2025
- C. [25-609](#) Approval of the Broken Arrow City Council Special Meeting Minutes of April 24, 2025
- D. [25-657](#) Approval of the Broken Arrow City Council Amended Special Meeting Minutes of February 25, 2025
- E. [25-546](#) Acceptance Planning Commission meeting minutes of March 13, 2025
- F. [25-547](#) Acceptance Planning Commission meeting minutes of March 27, 2025
- G. [25-621](#) Approval of and authorization to execute Budget Amendment Number 23 for Fiscal Year 2025
- H. [25-622](#) Approval of and authorization to execute Budget Amendment Number 24 for Fiscal Year 2025
- I. [25-631](#) Approval of and authorization to execute Budget Amendment Number 26 for Fiscal Year 2025

- J. [25-557](#) Approval of and authorization to execute Amendment 1 to Agreement for Professional Consultant Services with Benham Design, LLC for providing design services on the Washington Street and 23rd Street Intersection project (Project Number ST24220)

- K. [25-584](#) Approval of and authorization to execute the Second Amended Agreement between the City of Broken Arrow and the Broken Arrow Historical Society

- L. [25-602](#) Approval of and authorization to renew the annual maintenance for the City's Fortinet firewalls and switches through Chickasaw Telecom, Inc., pursuant to the Oklahoma State Purchasing Contract Fortinet C2020-2

- M. [25-324](#) Approval of and authorization to execute a Professional Consultant Agreement with Garver, LLC. for the shade structure design at the Indian Springs Sports Complex Baseball Fields 9-16 Project No. 2560200

- N. [25-561](#) Approval of and authorization to execute Agreement for Professional Consultant Services with Hudson Prince Engineering & Inspection, PLLC for the Timber Ridge Access Conceptual Study Project Number 2552180

- O. [25-551](#) Approval of and authorization to execute a Memorandum of Understanding between the Indian Nation Council of Government (INCOG) and Broken Arrow, Oklahoma

- P. [25-563](#) Approval of and authorization to execute Amendment 1 to Agreement for Professional Consultant Services with Marquardt Engineering, PLLC for providing design services on the Rose District Alleyway East project (Project Number ST25190)

- Q. [25-552](#) Approval of and authorization to execute an Agreement for Gas Facilities Relocation, between Oklahoma Natural Gas and the City of Broken Arrow, for South 9th St and East Washington Avenue Intersection Improvements (Project Number ST2027a)

- R. [25-537](#) Approval of and authorization to renew the expired contract with Southern Uniform to outfit new police officers with uniforms and equipment

- S. [25-562](#) Approval of and authorization to execute Amendment No. 2 to the Agreement for Professional Consulting Services with Tulsa Engineering & Planning Associates, Inc., for providing engineering design services for erosion control measures on Covington Creek & Tributaries Bank Stabilization (Project No. SW2006)

- T. [25-532](#) Approval of and authorization to execute a five-year service agreement with the Whelen Engineering Company to provide access to Whelen's proprietary cloud data system

- U. [25-577](#) 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

- V. [25-641](#) Approval of and authorization to execute a Proclamation declaring the week of May 4th through 11th, 2025, as National Drinking Water Week in Broken Arrow

- W. [25-616](#) Approval of and authorization to execute a Proclamation declaring May 17, 2025 as Kids to Parks Day in the City of Broken Arrow

- X. [25-624](#) Approval of and authorization to execute a Proclamation City Council Declaring the Week of May 18-24, 2025, as National Public Works Week in the City of Broken Arrow, OK

- Y. [25-633](#) Approval of the Parks and Recreation Master Plan Leisure Trend Analysis Addendum

- Z. [25-515](#) Acceptance of the Drainage Advisory Committee's recommendation to approve expenditure of 2018 General Obligation (GO) Bond funds for construction of erosion mitigation and repair of the leaking pond spillway at Shenandoah Valley at Battle Creek

- AA. [25-576](#) Approval of and authorization to execute a Resolution of Necessity to Condemn Property located at 13427 East 131st Street South and at 13461 East 131st Street South, Broken Arrow, OK 74011, located in Section 4, Township 17 North, Range 14 East of the Indian Meridian, Tulsa County, Oklahoma, for the Willow Springs Lift Station Replacement, Parcels 1.1, 1.A, 2.1 and 2.A (Project No. 2154300)

- AB. [25-555](#) Approval of and authorization to award the lowest responsible bid to Cherokee Pride Construction Inc., and approve the execution of a construction contract for the Brentwood Drainage Improvements project (2453170)

- AC. [25-554](#) Approval of and authorization to award the lowest responsible bid to Cherokee Pride Construction Inc., and approve the execution of a construction contract for the Shenandoah Valley at Battle Creek Outlet Structure project (SW23030)

- AD. [25-603](#) Award the lowest responsible bid to Gober Construction LLC, and approve and authorize the execution of a construction contract for the E. Natchez St. and 8th St. Culvert Replacement project (SW21020)

- AE. [25-604](#) Award the lowest responsible bid to Wyatt Contracting, Inc., and approve and authorize the execution of a construction contract for the Stoneridge and Elm Drainage Improvements - Package F Regional Detention Pond (SW1910)

- AF.** [25-611](#) Approval of and authorization to reprogram fiscal year 2025 Capital Improvement Project No. 2530090 to purchase one 2025 Chevrolet Traverse from Vance Chevrolet, pursuant to the Oklahoma Statewide Vehicle Contract No. 1000009315
- AG.** [25-549](#) Approval of a variance to section 5.1 of the Land Subdivision Code for Timber Ridge Business Park, approximately 3.08 acres, IL (Industrial Light)/PUD-259, located one half mile west of Evans Road (225th East Avenue) and south of Kenosha Street (71st Street)
- AH.** [25-505](#) Approval of and authorization to execute Change Order No. 3 with Ascend Commercial Builders for the Broken Arrow Public Works Field Office Project (2217090)
- AI.** [25-553](#) Approval of and authorization to execute Change Order No. 1 with Becco Contractors Inc for the Houston St Widening (ST2028)
- AJ.** [25-649](#) Approval of and authorization to execute Change Order No. 1 with Crossland Heavy Contractors for the Events Park Infrastructure Project (2417210)
- AK.** [25-592](#) Approval of and authorization to execute Change Order No. 1 with Gober Construction LLC for the Concrete Panel Replacement Turtle Creek Phase 2 (ST23030)
- AL.** [25-550](#) Approval of PR-000741-2025|PT-002068-2025, Conditional Final Plat, Brook Chase Phase III, 28.67 acres, 113 Lots, RS-4 (Single Family Residential), located one-quarter mile north of Washington Street (91st Street), one-eighth mile west of 23rd Street (193rd E. Avenue/County Line Road)
- AM.** [25-548](#) Approval of PT-002021-2025|PR-000332-2023, Conditional Final Plat, Peak at Broken Arrow Addition, approximately 14.16 acres, 6 Lots, CH (Commercial Heavy), located approximately one-third mile south of Florence Street (111th Street), and west of Aspen Avenue (145th East Avenue)
- AN.** [25-545](#) Approval of PT-001923-2024 | PR-000171-2023, Conditional Final Plat, Timber Ridge Business Park Amended, 14.03 acres, IL/PUD-000723-2023, one-half mile west of Evans Road (225th East Avenue), south of Kenosha Street (71st Street)
- AO.** [25-587](#) Acceptance of a Sewer Line Easement from CREOKS Mental Health Services, INC., on property located approximately one-quarter mile north of Kenosha Street (71st Street), west of 23rd Street (Countyline Road), Wagoner County, State of Oklahoma, (Section 6, T18N, R15E) (EASE-002156-2025)

- AP.** [25-586](#) Acceptance of a Sewer Line Easement from RDS Business Park, LLC, on property located approximately one-quarter mile north of Kenosha Street (71st Street), west of 23rd Street (Countyline Road), Wagoner County, State of Oklahoma, (Section 6, T18N, R15E)(EASE-002155-2025)
- AQ.** [25-544](#) Acceptance of a Storm Sewer Easement from Tag Tulsa, LLC on property located south of Kenosha Street (71st Street), one-quarter mile west of 9th Street (Lynn Lane), Tulsa County, State of Oklahoma, (Section 12, T18N, R14E), (EASE-002112-2025)
- AR.** [25-560](#) Acceptance of a Waterline Easement from Independent School District No. 3 of Tulsa County Oklahoma on property located approximately one-quarter mile south of New Orleans Street (101st Street) and one-half mile east of Elm Place (161st Street) (Section 26, T18N, R14E) (EASE-002153-2025)
- AS.** [25-615](#) Acceptance of a Utility Easement consisting of 0.053 acres from Wayne A. Murtha and Tina I. Murtha on property located at 10804 South Lynn Lane Road in Broken Arrow, Oklahoma, located in the Southwest Quarter of Section 26, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma for the 9th Street, Waco Street to Florence Street & Florence Street, Elm Place to Ash Drive, Parcel 9.0 (Project No. WL23080)
- AT.** [25-574](#) Approval of and authorization to execute a Purchase and Sales Agreement for real property at 21194 East 101st Street, Broken Arrow, Oklahoma; and approval to execute Resolution No. 1652, a Resolution of the City of Broken Arrow ratifying, approving, authorizing and accepting a contract for sale of real estate for real property located in Broken Arrow, Wagoner County, Oklahoma and more particularly described as Lot Five (5), Block One (1), Whispering Hills Estates, a subdivision of the North half of the Northwest Quarter of Section 29, Township 18 North, Range 15 East of the Indian Meridian, in Wagoner County, State of Oklahoma, (the “real property”) in accordance with the terms of a certain contract for sale of real estate by and between the City of Broken Arrow and Amy Williams; approving and authorizing purchase of the real property pursuant to the contract for sale of real estate; and authorizing the City of Broken Arrow expenditure of the sum \$270,000.00 to effect such purchase, as well as reasonable and necessary costs; designating representatives of the City of Broken Arrow, for purposes of granting certain approvals and executing certain instruments as required under and in connection with said assignment and Approval of and authorization to execute a Purchase and Sales Agreement for real property at 21194 East 101st Street, Broken Arrow, Oklahoma; and containing other provisions relating thereto (Project No. 2417210)

AU. [25-648](#) Approval of and authorization to execute a Purchase and Sales Agreement for real property generally located in the 19900 block East 61st Street South, Broken Arrow, Oklahoma; and approval to execute Resolution No. 1653, a Resolution of the City of Broken Arrow ratifying, approving, authorizing and accepting a Purchase and Sales Agreement for real property located in Broken Arrow, Wagoner County, Oklahoma and more particularly described as A Part of the West 10 acres of the East 29.97 acres of Lot 3 of Section 6, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, Oklahoma, more particularly described as follows: Commencing at the Northeast Corner of Government 3; thence along the North line of Section 6, S88°53'47"W a distance of 657.70 feet; thence along the East Line of the West 10 acres of the East 29.97 acres of Lot 3, S01°19'39"E a distance of 353.75 feet to the Point of Beginning; thence S88°40'21"W a distance of 65.00 feet; thence S34°10'10"W a distance of 325.93 feet; thence S88°41'13"W a distance of 75.00 feet; thence along the West Line of the East 29.97 acres of Lot 3, S01°18'47"E a distance of 700.08 feet; thence along the South Line of Government Lot 3, N88°52'13"E a distance of 329.43 feet; thence N01°19'39"W a distance of 966.55 feet to the Point of Beginning. Having an area of 273,105 Square Feet, 6.2696 acres (the "real property") in accordance with the terms of a certain Purchase and Sales Agreement by and between the City of Broken Arrow and John M and Cynda A Spoon Trust; approving and authorizing purchase of the real property pursuant to the Purchase and Sales Agreement and authorizing the City of Broken Arrow expenditure of the sum \$181,818.40 to effect such purchase, as well as reasonable and necessary costs; designating representatives of the City of Broken Arrow, for purposes of granting certain approvals and executing certain instruments as required under and in connection with said assignment and Approval of and authorization to execute a Purchase and Sales Agreement for real property generally located in the 19900 block East 61st Street, Broken Arrow, Oklahoma; and containing other provisions relating thereto (Project No. S.24010)

AV. [25-617](#) Ratification of the Claims List Check Register Dated April 28, 2025

6. Consideration of Items Removed from Consent Agenda

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

- A.** [25-627](#) Presentation, discussion, and possible acceptance of the 2024-2025 Broken Arrow Youth City Council's Big Idea
- B.** [25-598](#) Discussion to construct traffic calming devices along South Maple Avenue in the Meadows at Indian Springs subdivision in accordance with the Traffic Calming Policy
- C.** [25-390](#) Presentation of VENU Economic Development Update

- D. [25-630](#) Presentation and discussion of the City of Broken Arrow/Broken Arrow Police Department's fiscal year 2025 and fiscal year 2026 plans to build a Real Time Information Center
- E. [25-558](#) Presentation of the status on Rose District Parking Lot project located at the intersection of W. Commercial St. and S. Ash Ave. in downtown Broken Arrow Project No. 2417280
- F. [25-572](#) Presentation of conceptual design options for the Dallas Street Improvements from Main Street to 9th Street (Project Number ST25320)
- G. [25-639](#) Conduct a public hearing regarding the proposed creation of Increment District No. 6, City of Broken Arrow and the Hackberry Market Economic Development Project Plan
- H. [25-268](#) Update on the 2026 General Obligation Bond Package

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

9. General Council Business

- A. [25-424](#) Consideration, discussion, and possible award of the lowest responsible bid to PCC, Sports for the construction of the Nienhuis Football Synthetic Turf Fields (Project 2460360)
- B. [25-642](#) Consideration, discussion and possible approval and execution of a Resolution No.1654 creating, naming, and establishing the commencement date for Increment District No. 6, City of Broken Arrow; ratifying and confirming the Ordinance of the City Council of the City of Broken Arrow, Oklahoma, providing for severability; and containing other provisions related thereto
- C. [25-578](#) Consideration, discussion and possible approval to award the lowest responsible bid to Scissor Tail Construction for the Renovation of the Public Safety Complex - EMS Building (Project Number 191711)
- D. [25-597](#) Consideration, discussion, and possible approval for securing lobbying services for the City of Broken Arrow for state and federal legislative matters

10. Preview Ordinances

- A. [25-541](#) Consideration, discussion, and possible preview of an Ordinance closing an easement from Anthem Church, Inc, on property located one-third mile north of Houston Street (81st Street), one-quarter mile east of Garnett Road, Tulsa County, State of Oklahoma, (Section 08, T18N, R14E), (EASE-002076-2025)
- B. [25-643](#) Consideration, discussion, and possible preview of an Ordinance approving the new Broken Arrow Zoning Ordinance

11. Ordinances

- A. [25-472](#) Consideration, discussion, and possible adoption of Ordinance No. 3860, closing a utility and drainage easement from Heritage BA, on property located one-eighth mile east of Evans Road (225th East Avenue) and north of Kenosha Street (71st Street), Wagoner County, State of Oklahoma, (Section 04, T18N, R15E), repealing all ordinances to the contrary; and declaring an emergency (EASE-002069-2025)
- B. [25-473](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3860; it being immediately necessary for the preservation of the public peace, health, safety, or welfare, an emergency is hereby declared to exist
- C. [25-638](#) Consideration, discussion and possible adoption of an Ordinance No. 3875 of the City of Broken Arrow, Oklahoma (the “City”) approving utilization of apportioned tax revenues authorized by statewide vote adopting Article 10, Section 6C of the Oklahoma Constitution and implemented by the Local Development Act, 62 O.S. §850, et seq.; approving and adopting the Hackberry Market Economic Development Project Plan and expressing intent to carry out the Project Plan; ratifying and confirming the actions, recommendations and findings of the Review Committee and the Planning Commission; creating and establishing Increment District No. 6, City of Broken Arrow and/or deferring the naming and effective date for the creation of the Increment District; designating and adopting the Increment District boundaries and the Project Area boundaries; adopting certain findings; reserving to the City the authority to make minor amendments to the Project Plan; authorizing the City Council of the City to carry out and administer the Project Plan; establishing a Tax Apportionment Fund; authorizing directions for prospective apportionment of tax increments; establishing an allocation of use for tax increments; declaring apportionment funds to be funds of the City and limiting the pledge of apportioned increments to increments actually apportioned by the City; authorizing the City Council of the City, or a public trust designated thereby, to implement the Project Plan utilizing apportioned tax increments to pay or reimburse project costs directly and/or to issue bonds or notes, if feasible and desirable, to pay project costs and to retire said bonds or notes from apportioned tax increments; providing for severability; declaring an emergency; and containing other provisions related thereto
- D. [25-640](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3875; it being immediately necessary for the preservation of the public peace, health, safety, or welfare, an emergency is hereby declared to exist

- E. [25-612](#) Consideration, discussion, and possible adoption of Ordinance No. 3876, an ordinance amending the Broken Arrow Code of Ordinances Chapter 12, Garbage and other refuse, Article I in General, Section 12-1 Definitions; specifically amending title; Section 12-3 Right to engage in business of collecting, hauling, etc.; license, permit amounts in line with manual of fees and specific dates for reporting of weights; repealing all ordinances to the contrary; and declaring an emergency
- F. [25-660](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3876; it being immediately necessary for the preservation of the public peace, health, safety, or welfare, an emergency is hereby declared to exist

12. Remarks and Inquiries by Governing Body Members

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

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

1. A pending litigation known as *City of Broken Arrow v. Nikel Investments, LLC, v. Lamar Advertising Company, et al.*, Tulsa County District court, Case No. CJ-17-1470, 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:

Please note that all items on this agenda may be approved, denied, amended, postponed, acknowledged, affirmed or tabled.

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

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

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

21 O.S. Section 280 provides the following:

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

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

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

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

A paper copy of this agenda is available upon request.

POSTED this ____ day of _____, _____, at _____ a.m./p.m.

City Clerk