



**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, January 16, 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. [23-1561](#) Acknowledgement of upcoming out-of-state travel by City Council members
- B. [24-65](#) Approval of the City Council Meeting Minutes of January 2, 2024
- C. [23-322](#) 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
- D. [24-141](#) Approval of and authorization to execute Change Order No. 3 with Sherwood Construction Co, Inc., for Oklahoma Department of Transportation project # STP-172N(455)IG, (City of Broken Arrow project # ST0914 - 23rd Street Improvements from Houston Street to Kenosha Street)
- E. [24-139](#) Notification of City Manager's execution of Change Orders on Public Construction Contracts as Authorized per Resolution 1439
- F. [24-55](#) Ratification of the Claims List Check Register Dated January 08, 2024

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

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

- A. [24-137](#) Conduct a public hearing regarding the proposed creation of Increment District No. 5, City of Broken Arrow and the Sunset at Broken Arrow Economic Development Project Plan
- B. [24-58](#) Presentation and discussion of the Financial Statements of the City of Broken Arrow through November 30, 2023 for the General Fund, Broken Arrow Municipal Authority, Police Sales Tax Fund, Fire Sales Tax Fund and Visit BA
- C. [24-59](#) Presentation of the OpenGov digital platform for transparency on the City's finances

**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. [24-54](#) Consideration, discussion and possible approval of and authorization to execute Resolution No. 1557, a resolution by the Broken Arrow City Council to submit grant applications to the Federal Emergency Management Agency for developing Master Drainage Plans
- B. [24-147](#) Consideration, discussion, and possible approval of a budget transfer to re-furbish and re-mount one (1) 2019 AEV ambulance by Professional Ambulance Service DBA SERVS; and also purchase one (1) Horton Ambulance from SERVS including the additional equipment needed from Stryker
- C. [24-143](#) Consideration, discussion, and possible approval of a 90-day extension to adopt the updated Zoning Ordinance
- D. [24-146](#) Consideration, discussion, and possible approval of the formation of a New City Hall Initiative Committee

**10. Preview Ordinances**

**11. Ordinances**

- A. [24-138](#) Consideration, discussion and possible approval of Ordinance No. 3816 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 Sunset at Broken Arrow 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. 5, City of Broken Arrow; 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
- B. [24-142](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3816

- C. [24-135](#) 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; sterilization of adopted dog or cat, reducing the time for the destruction of impounded animals from five to three days from the time of its impoundment, adding additional factors the City may 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
- D. [24-136](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3815

**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 Harold Price v. City of Broken Arrow, et al., Eastern District of Oklahoma, Case No. CIV-23-437-RAW, under 25 O.S. §307(B)(4);**
- 2. A pending litigation known as Hoey Construction Company v. City of Broken Arrow, et al., Tulsa County District court, Case No. CJ-21-0702, 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