
INTEROFFICE MEMO

To: Mr. Michael L. Spurgeon, City Manager

From: Mr. Kenneth Schwab, P.E., S.E., CFM, Assistant City Manager – Operations

Copied: Mr. Tim Wilson, Streets and Stormwater Director
Mr. Zach Smith, P.E., Streets and Stormwater Assistant Director

Date: July 28, 2026

Re: Rockwood Creek Channel Maintenance – “Letter of Complaint”

KDS
07-28-26

Introduction:

On July 21, 2026, the City of Broken Arrow issued a letter along with an attached Standard Method of Practice (SMP) regarding the maintenance of the improved channel known as Rockwood Creek Channel. This letter and subsequent SMP stemmed from a public meeting held in the fall of 2025 with many neighbors that abutted the channel. The purpose was to address the neighborhood concerns regarding the City’s required maintenance. The City promised to develop a Standard Method of Practice and issue to the abutting property owners. Since that issuance, we have received only one (1) complaint. It is included in this memorandum in its entirety. We have received a couple of compliments on the matter as well.

Detailed “Text” Response Received from Ms. Terri Dean on July 28, 2026:

Mr. Schwab, it has been proven to us once again that the City of Broken Arrow cannot be trusted. Those of us who want the Middle Branch of Haikey Creek to be properly managed are ignored. Many have called in years past to complain about the 19th century nihilistic management of the creek by the City and they report their complaints are unanswered and not honored as are mine. Mr. Spurgeon, himself would not answer my calls, or others until I made a request through Councilwoman Lisa Ford. Mr. Spurgeon then called me on his cell phone on 6/20/25 which was not to discuss the matter but, in my experience and opinion derived from that interaction, an act of intimidation. Further on 6/23/25 he authorized heavy equipment to destroy the creek behind my house pointlessly. It has never recovered and is a site to this day of massive erosion. It destroyed the habitat where ducks nest & raise their young. Every neighbor who witnessed that destruction have expressed they believe it was specifically me and to intimidate me...and perhaps to get me to move as others have done with personal intimidation (there are other witnesses who believe they were “targeted” because they did not agree with certain city policies that resulted in significant over expenditure). You and Lisa Ford dismissed and excused this frightening behavior because Mr. Spurgeon is a military vet.

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You have stated you are on the water board of the Dept of Environmental Quality. As such we would expect expert management of our riparian greenbelt and Middle Branch of Haikey Creek. The last time I researched, our creek drainage system had the most polluted water in all of Oklahoma. From August of 2024-May 2025 we had a huge sewage leak into our creek and the individuals responsible for maintenance did nothing at all with repeated requests to fix the problem. Four of us tracked the problem and found a manhole on the creek bank leaking human feces and toilette paper in the creek--yet nothing done to fix it until a group of neighbors and myself contacted Lisa Ford, the Dept of Health, and the DEQ. That very day it was finally fixed! During this time Tim Wilson and his office received regular complaints--nothing done! Nor would they do water testing or put up a sign to warn the public. There are many witnesses. Yet these people remain employed! The fish kill has never recovered--I am witness to that as are others.

In our view, based on experience, the only voices that count are those that agree with the policies established by the City bureaucracy. The voices that want responsible management (which are the majority) are ignored. I presented the recommendations to the City Council Meeting of the regulatory bodies (they did not agree with the destructive management of our creek) in the early 1990s. A petition was presented signed by citizens of our community. They were ignored and Mr. Wooden bulldozed down our trees in 1996 turning our creek into a drainage ditch. Further they took a tractor with a tank down the middle of the creek spraying Roundup (associated with being a carcinogen). We managed to stop that by calling the EPA. It took many years for recovery before fish and amphibians could survive. It was a dead creek.

When I bought my house, the creek had not been touched by the City probably for 20 years. I was to discover the low water bridge (installed by Mr. Wooden) acted as a dam threatening flooding of the upstream homes every time it rained and posed a danger to school children returning home from school because it turned into a dangerous rushing falls. The children crossed by climbing on the rails and scooting across! The City refused to hear us. It was not until a neighbor threatened a lawsuit that the problem was fixed and a proper bridge installed.

There were people within the City who did not agree with the destructive management and agreed with proper management of the riparian system but they would not speak up because of "potential retaliation and loss of job" by the current regime. Many citizens do not agree with how the City manages our Middle Branch of Haikey Creek but remain silent because of fear of "retaliation and targeting."



This is my side of the creek which is a part of my yard at the bridge. The Johnson grass provides cover for baby animals such as ducks (there are now 2-3 late babies) but those earlier in the season (6) did not survive due to lack of protecting habitat. Normally we have several clutches of 10-12 baby ducks early in the season before Mr. Spurgeon's habitat destruction. This year only one clutch of 6 which did not survive. The grass also acts to slow the water so it absorbs rather than drains off and the plant roots prevent erosion therefore, retaining ground water and filtering out harmful chemicals.

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This is opposite my creek bank which has never recovered from Mr. Spurgeon's destruction on 6/23/25. There continues to be severe erosion and as you can see there is no habitat for ducks and other wildlife to safely nest and raise their young. These pictures were taken today 7/28/26. According to the Army Corp of Engineers that when a creek bank is damaged it is to be reseeded with ground cover (in 6/2025 Lisa Ford said this would be done). I have Never seen any part of the creek bank reseeded after destruction. I am not aware the City follows any kind of guidance from regulatory bodies. I gave the written recommendations from such to the City Council in the early 1990s along with a PowerPoint presentation, and in 2025 gave Lisa Ford and you a copy also of the recommendations for riparian management.

We had better riparian management of the creek under Craig Thurmond until 2022 when Mr. Spurgeon/Hinckey(sp. Henkel)/Wilson began implementing their nihilistic management. There was a progressive loss of trees, habitat and with it a wildlife kill of those that cannot fly away. Walnut and persimmon trees were taken out which serve as food sources for wildlife and people. One lady used to make special persimmon jam for the Christmas season, but her trees were cut down by the City. Those trees also served birds for food during the winter months. We have also had a honey bee and butterfly kill-they are gone, too. Because there are no honey bees to pollinate my holly bushes there are no longer berries as of 2022. The ducks disappeared after June of 2025 and did not return until March 2026. As long as the fish are gone, the herons disappeared. The possums, that eat ticks, disappeared. For the

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first time in 20 years I saw two ticks in early spring. Ticks are dangerous as they carry disease such as Rocky Mountain spotted fever and alpha-gal syndrome. We have had a massive mosquito infestation because of the fish kill. This year there are a few tiny minnows that have washed in but none of the bigger fish we used to see prior to the sewage leak.

As you know when you remove vegetation and trees the baked earth does not absorb water. It simply drains off rapidly creating a risk of flooding downstream. The water table falls and creeks/rivers dry up. Pollution runs unabated into our rivers and lakes because of the lack of filtration. Then expensive projects are done such as detention ponds to contain water for slower draining. What is better proper management of a riparian system or spending huge amounts of taxpayer money (with possible corruption) on construction projects and spraying the neighborhood with chemicals at 3:00 AM to contain the mosquitos?

According to my research there are no flood sites in the City of Broken Arrow linked the Middle Branch of Haikey Creek, but there are in other areas of the City. Why was bald eagle habitat destroyed at the north end of our street next to our creek to excavate our earth and sell it to a construction company? Then a supposed detention pond was constructed, by the same construction company, on the site. I have photographed the "detention pond" after several massive downpours and it remains empty though I understand there has been a diversion of the creek into it. Just on the other side of the creek is a real detention pond that functions properly without any artificial creek diversion into it.

This is the real detention pond on the other side of the creek across from the newly constructed "detention pond" at the end of our street. As you can see it functions properly without artificial diversion of our creek into it.

This detention pond is also located next to the site of the sewer manhole that leaked raw sewage into the Middle Branch of Haikey Creek from August 2024 to May 2025 despite many calls to the City to have it fixed. We have found over the years that our complaints, that are concerned about City management policies, safety concerns, or utility maintenance issues, are ignored. However, complaints, however few, that agree with the City agenda get immediate response.

This is the newly constructed "detention pond" recorded after a heavy downpour very closely in time on the same day as the real detention pond. When Mr. Spurgeon called me on 6/20/25 when asked he claimed to know nothing about this project.

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This is how my yard looked this morning 7/28/26.



This is how my yard looked after your City worker got through with it on 7/28/26 today. Obviously, there is no respect for my work and yard. The baby ducks now have no protection at all. It's a guaranteed kill now.

One of the reasons why our fish have not recovered is because the beavers were removed and their dam, which created a small deep pool, where fish could safely raise young disintegrated without maintenance. That dam also served as a retention/detention pond that decreased flood issues. Without it there is much larger water run-offs which has been documented as well. ○ Studies have found that the beaver dam sticks provide a place for fish to lay eggs and a protective nursery for small fish. They found that the fish are much more numerous and much larger if beaver dams are left intact and managed. The UK has not had beavers, hunted to extinction for hats, for 400-500 years. When they disappeared many other species that depend on them also went extinct. Beavers are being reintroduced to restore health to the soil and a return of a healthy ecosystem that supports biodiversity of

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species that have long been extinct in the UK due to habitat destruction. The beavers are also restoring health to the soil that was destroyed through years of herbicides and pesticides. We are facing the same problem here in the U.S. Secretary RFK, Jr. says there are only 60 years of harvest left in most farming areas of the U.S. due to the same reason. So in the City of Broken Arrow we have also had a beaver kill and the destruction of an ecosystem.

The quality of life and our environment has been seriously impacted in our neighborhood since Mr. Thurmond has left office and it has been under the management of Mr. Spurgeon.



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I happened to be home in 2005 and caught the City of Broken Arrow illegally going down the center of the Middle Branch of Haikey Creek spraying Roundup (glyphosate chemical linked with cancer). The EPA wanted to prosecute.

This is the City of Broken Arrow's low water bridge which functioned as a dam to cause the threat of flooding upstream homes. Our requests to replace this dam with a real bridge was ignored for years. You can see what the creek looked like under the management of the City of Broken Arrow in 2005. Mr. Wooden bulldozed down our trees in 1996 turning it into a drainage ditch. As a result of the tree loss the sun beat down on our houses like jack-hammers. It took many, many years for the creek to recover...then in 2022 the cycle of destruction began all over again under Rocky Hinckle...then Tim Wilson appointed by Mr. Spurgeon.

You can see the effect of the Round-Up down the creek. We have many, many years worth of documentation of mismanagement, and possibly illegal, destruction of our creek and neighborhood which pose quality of life, health, and safety issues for the citizens of Rockwood East and Rockwood West Divisions. There are also many, many witnesses.

Once again, Mr. Schwab, we ask for your help in stopping the destruction of our neighborhood and creek. If you will not correct this problem, then we will believe you are in agreement with the current destruction and are part of the problem, not the solution. Please advise me what your plan is to correct this problem.

Unfortunately, I believe it is necessary to state for the record that I will not be committing suicide or moving from my home. (My neighbors and friends are also aware of this.)