



**City of Broken Arrow**  
**Minutes**  
**Special City Council Meeting**

City Hall  
220 S 1st Street  
Broken Arrow OK  
74012

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

**Monday, July 15, 2024**

**Time 6:30 p.m.**

**Council Chambers**

**1. Call to Order**

Mayor Debra Wimpee called the meeting to order at approximately 6:30 p.m.

**2. Invocation**

Pastor Katrina Palan performed the invocation.

**3. Roll Call**

**Present:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

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

Council Member Justin Green led the Pledge of Allegiance to the Flag.

**5. Consideration of Consent Agenda**

Mayor Wimpee asked if there were any Items to be removed from the Consent Agenda; there were none.

MOTION: A motion was made by Christi Gillespie, seconded by Lisa Ford.

**Move to approve the Consent Agenda**

The motion carried by the following vote:

**Aye:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

- A. 24-850 Acknowledgement of out-of-state travel by City Council Members
- B. 24-81 Approval of the City Council Meeting Minutes of June 17, 2024
- C. 24-810 Acceptance of the Planning Commission meeting minutes of May 23, 2024
- D. 24-811 Acceptance of the Planning Commission meeting minutes of June 13, 2024
- E. 24-844 Acknowledgement of the submittal of the Financial Statements for General Fund, Police and Fire Funds and Visit Broken Arrow for May 2024
- F. 24-970 Approval of and authorization to publish a Notice of Availability of Annual Audit for Fiscal Year 2022-2023
- G. 24-967 Approval of and authorization to execute Budget Amendment Number 33 for Fiscal Year 2024
- H. 24-881 Approval of and authorization to execute Amendment 2 to Professional Consultant Agreement with BKL, Inc. for the design of the Public Works Field Office Renovation Project (Project No. 2217090)
- I. 24-922 Approval of and authorization to execute a Second Amendment for a five-year extension on Lease Agreement at Arrowhead Park with Cellco Partnership DBA Verizon Wireless
- J. 24-901 Approval of and authorization to execute an Amendment to Service Agreement No. 50006466 (fourth renewal) with Clean Uniform Company for non-public safety employee uniform rental service
- K. 24-905 Approval of and authorization to execute Amendment Number 2 to Agreement for Professional Consulting Services with Freese and Nichols, Inc. for the Houston Street Widening from 9th Street to Old Highway 51 (ST1926)
- L. 24-929 Approval of and authorization to execute a renewal of the City of Broken Arrow Golf Course Professional Management Services Agreement with Greenway Golf Partners, LLC on City owned land known as the Battle Creek Golf Course
- M. 24-843 Approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and Hall Estill, Attorneys at Law for providing counsel and legal advice regarding Environmental law
- N. 24-583 Ratification of previous payment of \$150,000 and approval of and authorization to execute a contract with Inhouse Advertising for marketing services
- O. 24-842 Approval of and authorization to execute an Expert Witness Consultant Agreement with Joseph W. Kowalski, P.E., for providing independent professional advice as a consultant regarding the Tiger Hill Retaining Wall Design and Construction Defect Dispute with O.J.C., and Heartstone
- P. 24-917 Approval of and authorization to execute Amendment Number 1 to Professional

- Consultant Agreement with Keithline Engineering Group, PLLC for Residential Streets Asphalt Repair and Resurfacing (Project Number ST24160 and ST24170)
- Q. 24-374 Approval of and authorization to execute Amendment No. 5 to Professional Consultant Agreement with Kimley Horn for the design of Events Park Infrastructure Improvements (Project No. 2417210)
- R. 24-904 Approval of and authorization to execute an agreement for Professional Consultant Services with Marquardt Engineering, PLLC for providing design services on the Rose District Alleyway East project (Project Number ST25190)
- S. 24-891 Approval of and authorization to execute a renewal of the Enterprise Enrollment Agreement and relevant Amendment with Microsoft Corporation for Microsoft software, products, and licenses through SHI
- T. 24-920 Approval of and authorization to execute a Second Amendment for a five year extension on Lease Agreement at Baptist Water Tower with New Cingular Wireless PCS LLC
- U. 24-863 Approval of and authorization to renew Oklahoma Task Force-1, Urban Search and Rescue Team, commitment letters for Firefighters Jeremy Roberts, Justin Williams, Stephen Heins, Jill Boeckman, Christopher Rivera, and Jo'es Okotoghaide, to participate on the Oklahoma Task Force-1 Urban Search and Rescue Team for fiscal year 2025
- V. 24-899 Approval of and authorization to renew the City's subscription to SolarWinds Orion Network Manager HCO through Presidio, pursuant to the Oklahoma State Purchasing Contract
- W. 24-890 Approval of and authorization to execute an annual renewal with Questys for software maintenance
- X. 24-752 Approval of and authorization to execute an annual use agreement between the City of Broken Arrow and ArtsOK, Inc
- Y. 24-927 Approval of and authorization to execute an annual Parks and Recreation Use Agreement between the City of Broken Arrow and the Broken Arrow Community Playhouse
- Z. 24-751 Approval of and authorization to execute an annual use agreement between the City of Broken Arrow and Broken Arrow Genealogical Society
- AA. 24-750 Approval of and authorization to execute an annual use agreement between the City of Broken Arrow and Broken Arrow Historical Society
- AB. 24-753 Approval of and authorization to execute an annual use agreement between the City of Broken Arrow and Broken Arrow MVA d/b/a Military History Center
- AC. 24-748 Approval of and authorization to execute a Use Agreement and Services Contract between the City of Broken Arrow and the Broken Arrow Seniors, Inc
- AD. 24-749 Approval of and authorization to execute an annual use agreement and sublease between the City of Broken Arrow and Broken Arrow Veteran's Center, Inc
- AE. 24-857 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
- AF. 24-874 Award the most advantageous quote to Premier Truck Group of Tulsa for the purchase of two (2) 2025 Western Star 49-X Series Chassis with Dump Body Trucks equipped with snowplows and spreaders for the Streets Department pursuant to the Oklahoma Statewide Contract
- AG. 24-894 Approval of and authorization to purchase one (1) Chevrolet Tahoe from Carter Chevrolet for the Fire Department pursuant to the Oklahoma Statewide Contract SW0035
- AH. 24-948 Approval of and authorization to purchase four (4) Traffic Signal Cabinets and four (4) controllers for four (4) intersections from Econolite Control Products, a sole source vendor
- AI. 24-923 Approval of and authorization to purchase pistols, pistol lights, pistol optics, rifle optics, and holsters from H & H Shooting Sports, pursuant to the Oklahoma Statewide Contract
- AJ. 24-947 Approval of and authorization to purchase Camera Video Detection and Accessories for four (4) intersections from Iteris, a sole source vendor
- AK. 24-913 Approval of and authorization to purchase practice ammunition from Precision Delta, pursuant to the Oklahoma Statewide Contract
- AL. 24-779 Approval of and authorization to purchase services software, from Thirdline, a sole source provider
- AM. 24-892 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
- AN. 24-902 Approval of and authorization to purchase one (1) Ford Explorer Active 4WD from Vance Country Ford pursuant to the Oklahoma State purchasing contract SW035 for Human Resources Department
- AO. 24-876 Approval of and authorization to purchase of one (1) Wheel Loader, from Warren Caterpillar Inc., pursuant to the Sourcewell Cooperative Purchasing contract (formerly NJPA)
- AP. 24-875 Approval of and authorization to purchase one (1) Skid Steer equipped with grading blade and 2D Earth System, from Warren Caterpillar Inc., pursuant to the Sourcewell

- AQ. 24-915** Cooperative Purchasing contract (formerly NJPA)  
Approval of and authorization to execute Change Order No. 6 with Becco Contractors, Inc., for Oklahoma Department of Transportation project No. STP-272F(367)IG, JP No. 33955(04) (City of Broken Arrow project No. ST1411, Albany Street Widening from 9th Street to 23rd Street)
- AR. 24-879** Approval of BAZ-001321-2024, Rezoning, Northside Christian Church, 1.81 acres, CH (Commercial Heavy) to CN (Commercial Neighborhood), approximately one-quarter mile north of Kenosha Street (71st Street), east of Elm Place (161st Avenue)
- AS. 24-962** Approval of PUD-001545-2024 (Planned Unit Development), 620 S Ash, approximately 0.33 acres, Downtown Residential Overlay District (DROD) Area 1 / R-3 located on the northwest corner of South Ash Avenue and West Houston Street (81st Street) at 620 S Ash
- AT. 24-969** Acceptance of a Deed of Dedication from FR Extex, LLC, on property located approximately one-quarter mile east of Elm Place (161st Street) and one-third mile north of Kenosha Street (71st Street), Tulsa County, State of Oklahoma, (Section 02, T18N, R14E)(EASE-001083-2023)
- AU. 24-882** Approval of and authorization to execute Resolution No. 1593, A Resolution authorizing acceptance of a General Warranty Deed for Parcel 9.0, which consists of 0.09 acres of Permanent Right-of-Way for the Aspen, Tucson-Jasper Roadway Improvements, The Parcel is located at 12513 South 145th East Avenue, Broken Arrow, Oklahoma in the Northwest Quarter of Section 3, Township 17 North, Range 14 East, Tulsa County, State of Oklahoma, from Tiffany Tole and authorization of payment in the amount of \$26,200.00 for the Aspen, Tucson-Jasper Roadway Improvements, Parcel 9.0 (Project No. ST2031)
- AV. 24-883** Approval of and authorization to execute Resolution No. 1594, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 11.0, which consists of 0.09 acres of permanent right-of-way for the Aspen, Tucson-Jasper Roadway Improvements, the parcel is located at 12613 South 145th East Avenue, Broken Arrow, Oklahoma in the Northwest Quarter of Section 3, Township 17 North, Range 14 East, Tulsa County, State of Oklahoma, from Jerry And Kimberly Hickman and authorization of payment in the amount of \$7,600.00 for the Aspen, Tucson-Jasper Roadway Improvements, Parcel 11.0 (Project No. ST2031)
- AW. 24-884** Acceptance of Temporary Construction Easement for Tract 2, from The Griffin Family Trust dated January 30, 2017, on property located at 6475 South 209th East Avenue, Broken Arrow, Oklahoma in the Northwest Quarter of Section 5, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma for the 37th Street, Albany to Kenosha Roadway Improvements, Tract 1 (Project No. ST1413A)
- AX. 24-888** Acceptance of Temporary Construction Easement for Tract 1, from Daniel Taylor, on property located at 20925 E 65th Street, Broken Arrow, Oklahoma in the Northwest Quarter of Section 5, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma for the 37th Street, Albany to Kenosha Roadway Improvements, Tract 1 (Project No. ST1413A)
- AY. 24-885** Acceptance of Temporary Construction Easement for Tract 7, from Earl C Laney and Jan M Laney Joint Living Trust, dated May 21, 2009, on property located at 6449 S 209th East Avenue, Broken Arrow, Oklahoma in the Northwest Quarter of Section 5, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma for the 37th Street, Albany to Kenosha Roadway Improvements, Tract 3 (Project No. ST1413A)
- AZ. 24-887** Acceptance of Temporary Construction Easement for Tract 7, from The Terry and Rebecca Carter Trust, on property located at the Southeast corner of 37th Street and Albany Street, Broken Arrow, Oklahoma in the Northwest Quarter of Section 5, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma for the 37th Street, Albany to Kenosha Roadway Improvements, Tract 7 (Project No. ST1413A)
- BA. 24-889** Acceptance of a Utility Easement from Regino and Maurilia Cebreiro, the owners, on property located at 11626 E 64th Street, Broken Arrow, Oklahoma 74012, located in the Northwest Quarter of the Section 5, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma. Parcel 15.0 for the Melinda Park Sanitary Sewer Improvements Project No. S.23030
- BB. 24-886** Acceptance of a Utility Easement from S AND R DEVELOPMENT, LLC, the owners, on property generally located in the 2800 block of West Tucson Street, Broken Arrow, Oklahoma 74011, located in the South Half of Section 33, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, Parcel 1.0 for the Innovation District Lift Station Foremain Project No. S.24020
- BC. 24-916** Approval of and authorization of Final Acceptance for the public improvements at Aspen Ridge - Taco Bell located at 1811 West Norfolk Drive
- BD. 24-930** Approval of and authorization of Final Acceptance for the public improvements at the Chick-fil-A Aspen Ridge located at 5501 South Aspen Avenue
- BE. 24-931** Approval of and authorization of Final Acceptance for the public improvements at The Cedars at the Preserve located at Section 32, Township 19 North, Range 15 East
- BF. 24-924** Ratification of the Claims List Check Register Dated July 08, 2024

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

There were no Items removed from the Consent Agenda; no action was taken or required.

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

**A. 24-938 Presentation of street closure required near North Elm Place and West Stone Wood Drive**

Director of Engineering and Construction Charlie Bright introduced Ms. Shannon Marshall who was hired to fill his vacated position. He indicated Ms. Marshall was a licensed architect, the first licensed architect hired by the City of Broken Arrow, and would bring value to the City of Broken Arrow. He noted Ms. Marshall would be presenting later in the meeting.

Mr. Bright discussed the road closure required near North Elm Place and West Stone Wood Drive. He explained Explorer Pipeline had a transcontinental pipeline placed in a dedicated pipeline easement which crossed North Elm Place just on the south side of the intersection at West Stone Wood Drive. He stated Explorer Pipeline detected an anomaly in the system in this location and Federal law required a section of pipeline located under the road to be exposed and inspected within 90 days of the possible localized anomaly detected. He stated any repairs required would be performed while the pipeline was exposed. He noted where this anomaly was detected there was no easy way to close down half the road and maintain two-way traffic, so southbound traffic would be closed completely on Elm Street for up to one week. He explained traffic would utilize alternate routes or a marked detour taking southbound traffic west to West Southwest Expressway Drive where it would follow the roadway south and east to be reconnected to North Elm Place at West Queens Circle during this time.

Vice Mayor Christi Gillespie asked where this was exactly.

Mr. Bright explained it was by the Steak N Shake on Elm near the hospital. He noted drivers would easily be able to get to the hospital but would have to perhaps take a detour when leaving the hospital.

Discussion ensued regarding the detour route.

Council Member Johnnie Parks asked when this would begin.

Mr. Bright stated he imagined this would start in the next couple of weeks, but notification would be released 24 hours in advance.

Council Member Lisa Ford asked if signs were required to be posted about the road closure.

Mr. Bright responded he did not believe the City was required to post signs in advance, but he could look into it.

Council Member Ford stated this would be a good idea and would be helpful to those who drove along this portion of the road.

**B. 24-950**

**Presentation of the results of the Roadway Improvements Micro-Survey**  
Mayor Wimpee indicated this item would be tabled until the next meeting.

**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)**

Mayor Wimpee indicated one Citizen signed up to speak.

Citizen Kimberly Crenshaw stated she was Executive Director of the Broken Arrow Senior Center and she wanted to thank City Council and the City of Broken Arrow for all they had done in establishing the new Hawk Beacon System at the crosswalk which tied the two Senior Center sites together. She stated this has been a long time coming and would be essential in tying the two sites together. She noted until now the two sites had been very isolated because Members were too scared to cross the road with the busy traffic. She thanked City Council and City Manager Spurgeon for looking out for the safety of its Senior Citizens. She noted the Senior Center had passed 3,000 Senior Center Members with an average daily attendance of about 564 Seniors. She thanked City Council and City Manager Spurgeon for their time, planning and consideration in installing this crosswalk signal for the Senior Center.

City Manager Spurgeon stated the City procured the bus City Council authorized for purchase for the Senior Center and would be scheduling a ceremony to hand off the keys to Ms. Crenshaw sometime soon and he would like for everyone to attend, as well as the Senior Center Board Members and some Seniors because this was a very big deal.

Council Member Ford agreed noting the Senior Center van had been out of commission for about four weeks.

Ms. Krenshaw agreed, noting the van was still in the shop due to the rear suspension and rear axel needing repair. She stated the Senior Center had not been able to transport any senior citizens in for the nutrition site, or to help with the summer heat. She again thanked City Council and City Manager Spurgeon. She noted 25 percent of the Broken Arrow citizenry were 55 and older, which was a large portion of the population.

## 9. General Council Business

**A. 24-543 Consideration, discussion, and possible approval of and authorization to execute an Amendment to the Professional Consultant Agreement with Selser Shaefer Architects for the Schematic Design of the Jail Expansion and Renovation Project (Project No. 203019)**

Special Projects Division Manager Shannon Marshall reported the Broken Arrow Justice Center was located at 2304 South 1st Place, Broken Arrow, OK 74012; it was constructed in 2003 as part of the 2000 GO Bond. She reported in 2018 the voters of Broken Arrow approved additional funds for renovation and expansion of the existing jail facilities inside the Justice Center. She stated renovations to the facility could include improvements to the kitchen, the electronic security and HVAC units, as well as expansion of the housing units. She stated in November of 2022 City Council approved an AE Agreement with Selser Shaefer Architects to prepare the Schematic Drawings and a cost estimate for the renovation and expansion for \$60,000 dollars. She stated City Staff negotiated an amendment with the Selser Shaefer Architects for design services of \$359,250 dollars. She explained the amendment would expand the project to include Design Development, Construction Documents, Bidding Assistance, and Construction Administration services for the expansion and renovation of the Broken Arrow Jail.

MOTION: A motion was made by Christi Gillespie, seconded by Justin Green.

**Move to approve and authorize execution of an amendment to the Professional Consultant Agreement with Selser Shaefer Architects for the Schematic Design of the Jail Expansion and Renovation Project (Project No. 203019)**

The motion carried by the following vote:

**Aye: 5 -** Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

**B. 24-880 Consideration, discussion and possible approval of and authorization to accept the Second Guaranteed Maximum Price (GMP) from Crossland Heavy Contractors Inc. for the construction of the Events Park Infrastructure Project (Project No. 2417210)**

Ms. Shannon Marshall reported the City was working with Crossland Heavy Contractors on improvements to the Events Park Infrastructure Amphitheater Project and with encouragement from City Council and City Manager she hoped to implement GMP Package 2, which was for additional site lighting, throughout the entire park including the new roadway and parking lot improvements. She reported the site lighting would have additional power to help with different events throughout the year for the City to use for vendors, maybe a Christmas light display, etc.

City Manager Spurgeon stated this project looked to the future and the potential for a Christmas display, a food truck area, holiday tradition type events, other events, etc. He recommended approval.

MOTION: A motion was made by Johnnie Parks, seconded by Christi Gillespie.

**Move to approve and authorize to accept the Second Guaranteed Maximum Price (GMP) from Crossland Heavy Contractors Inc. for the construction of the Events Park Infrastructure Project (Project No. 2417210)**

The motion carried by the following vote:

**Aye: 5 -** Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

**C. 24-933 Consideration, discussion, and possible approval of and authorization to award to the lowest responsible bidder, Becco Contractors, LLC, for a construction contract for Houston Street Widening from Garnett Road to Olive Avenue (Project No. ST2028)**

Transportation Division Manager Zach Smith reported this was for the widening of Houston Street from Garnet to Olive from 3 lanes to 5 lanes and included a 10-foot trail on the north side of the road and connected all sidewalk on the south side of the road. He stated he understood this was a critical piece of road. He noted this project required a slight realignment of the intersection to avoid a natural gas pipeline and this was done. He stated the lowest responsible bidder was Becco Contractors with a total bid of \$5,718,000 dollars, which was less than the Engineer's estimate of \$6.4 million dollars.

Council Member Ford agreed this portion of the road was in need of widening. She stated she was very glad this was moving forward and knew everyone who drove this road would feel the same.

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

**Move to approve and authorize award to the lowest responsible bidder, Becco Contractors, LLC, for a construction contract for Houston Street Widening from**

**Garnett Road to Olive Avenue (Project No. ST2028)**

The motion carried by the following vote:

**Aye:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

City Manager Spurgeon noted this was one of two miles, and at some point, the City would be widening from Olive to Aspen on Houston as well.

**D. 24-896 Consideration, discussion and possible approval of Resolution No. 1591, a Resolution of the Broken Arrow City Council acknowledging and thanking the Oklahoma Department of Commerce and staff for their partnership and contribution of \$39,582,500.00 in funds pursuant to the Oklahoma Local Development and Enterprise Zone Incentive Leverage Act for the development, construction and operation of the Sunset Amphitheater of Broken Arrow**

Economic Development Director Jennifer Rush stated Resolution No. 1591 acknowledged and thanked the Oklahoma Department of Commerce and Staff for the partnership and contribution with the Oklahoma State Department for contributing up to \$39,548,500 dollars towards the Amphitheater project. She explained this was a limit up to, and only related to items related to the Amphitheater. She explained the City had not committed to spending \$39 million dollars, but through the life of the TIF, there could be future projects related to this project. She explained the City applied for the Oklahoma Enterprise Zone Incentive Leverage Act through the State. She stated Jon Chiappe, the Director of Research and Economic Analysis Services, was fantastic to work with regarding everything the State needed for this Act. She noted Heather Turner, the Executive Director of the Core Team, with the Department of Commerce was also present.

Mr. Jon Chiappe, the Director of Research with the Department of Commerce, stated the Enterprise Zone Incentive Leverage Act was a tool Oklahoma would like to see used more often for the enhancement of quality of life and infrastructure. He explained it was a tool which cities could use to capture state sales taxes, resources not typically available to cities. He said Oklahoma would love to see the completion of the Sunset at Broken Arrow Amphitheater which would enhance the quality of life of the citizens of Broken Arrow, as well as the State of Oklahoma.

Mayor Wimpee thanked Mr. Chiappe. She noted in a State which ran on sales tax, there were not many tools in the toolbox to help capture state sales tax. She stated the City was appreciative of this contribution by the State.

Ms. Heather Turner with the Department of Commerce stated she was thrilled to see Broken Arrow take advantage of the Leverage Act, and she was excited to be a part of this and to be partnering with the City of Broken Arrow.

Council Member Green thanked Mr. Chiappe, Ms. Turner, and the State of Oklahoma.

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

**Move to approve and authorize execution of Resolution No. 1591, a Resolution of the Broken Arrow City Council acknowledging and thanking the Oklahoma Department of Commerce and staff for their partnership and contribution of \$39,582,500.00 in funds pursuant to the Oklahoma Local Development and Enterprise Zone Incentive Leverage Act for the development, construction and operation of the Sunset Amphitheater of Broken Arrow**

The motion carried by the following vote:

**Aye:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

City Manager Spurgeon thanked the Department of Commerce and Wagoner County. He stated the support from Wagoner County and the State put Broken Arrow in a good position to bring a great product to the citizens of Broken Arrow. He announced with regard to the project, one of the key elements was to work with the Turnpike Authority to get a turnaround for those leaving the Events Park, Sunset Amphitheater, for direct access to the Creek Turnpike, and this was approved. He stated it was very exciting to be working on the plans for this link to the Creek Turnpike. He said he was proud to be able to partner with another State Agency to make sure this Amphitheater would be a great experience.

Council Member Ford stated not only would this link to the Creek Turnpike enable visitors to exit an event quickly, it would also be significantly safer. She thanked Mr. Kenny Schwab for his efforts as well.

**E. 24-918 Consideration, discussion and possible formation of a Review Committee for the Zoning Ordinance update and Housing and Demographic Study and appointment of members**  
Planning and Development Manager Amanda Yamaguchi stated at the Special City Council Meeting on June 20, 2024, City Council requested Staff put together a Review Committee made up of two City Council Members, two representatives from Broken Arrow Public Schools, and one Member from Union Public Schools to review the Zoning Ordinance along



with the Housing and Demographic study to ensure everything was coordinating as it should before moving forward.

Vice Mayor Gillespie asked when the Committee would start.

Ms. Yamaguchi responded she believed either late this month or early next month.

Council Member Parks stated this Committee was a good idea.

City Manager Spurgeon stated the School District appointed two School Board Members to serve on this Committee. He thanked Superintendent Perry for his assistance.

Vice Mayor Gillespie stated she would love to serve on this Committee but felt if she did, she would be over committed and she was unsure if she could handle the time commitment.

Mayor Wimpee stated she would like to be on the committee but wanted to give the other Council Members the opportunity to serve.

Council Member Parks stated he would like to serve.

City Manager Spurgeon stated he would like to get a meeting or two done before the school year began and then see if there were a need for any additional meetings in the fall.

MOTION: A motion was made by Justin Green, seconded by Christi Gillespie.

**Move to appoint Debra Wimpee and Johnnie Parks to serve on the Review Committee**

The motion carried by the following vote:

**Aye: 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee**

**F. 24-954 Consideration, discussion, and possible approval regarding PUD-001520-2024, Forest Ridge Tennis Facility, 19.9 acres, R-1 (Single Family Residential) to R-1/PUD (Planned Unit Development)-001520-2024, located one half mile south of Kenosha Street (71st Street), west of Midway Road (South 257th East Avenue)**

Ms. Yamaguchi reported PUD-001520-2024 was a proposed major amendment to PUD-66, Forest Ridge. She stated PUD-66 was approved by City Council on August 1, 1988, and since its adoption, PUD-66 was amended 7 times (PUD-66A-G). She stated the property was generally located one half mile south of Kenosha Street and west of Midway Road; the property was currently not platted and was vacant. She explained this was a proposed major amendment and proposed to bring what was a school tract into the boundaries of PUD-66. She explained the applicant wanted to expand the Ridge Club in phases, which was proposed to include both indoor and outdoor tennis and racquetball courts as shown on the conceptual development plan. She stated PUD-001520-2024 clarified the definition of the use type “Community Playfields and Parks” to say: “Community playfields and parks were allowed to be privately owned and operated.” She stated the applicant was present. She noted there was quite a bit of information included in the agenda packet, but for the sake of time she would not review all this information. She asked if there were any questions. She noted Staff recommended approval.

Vice Mayor Gillespie stated she spoke with Mr. Robson about a resident’s concerns regarding lighting and the future parking lot and Mr. Robson was able to address the concerns of the resident.

Ms. Yamaguchi stated after the Planning Commission meeting, the applicant held two separate neighborhood meetings and was able to address the majority of the concerns heard during Planning Commission.

Council Member Green asked if the developer had any comments.

The applicant, Ms. Jill Ferenc, stated she had six slides displaying images of what was planned. She indicated she understood the importance of community meetings. She noted during the community meetings the neighbors had questions and concerns regarding lighting, landscaping, the planned improvements and time frame, as well as drainage, maintenance, and project communications. She indicated a big part of addressing the neighbors’ concerns was making sure there was open communication throughout construction. She stated an individual was delegated to answer any questions and to reach out and update the neighborhood proactively. She noted there were visual boards, handouts, and a presentation was made at the community meetings. She stated she felt everyone walked away from the meetings happy. She noted engineering was underway, and the concerns about drainage were being taken into consideration.

Vice Mayor Gillespie stated there were currently a few areas where there were drainage difficulties, but this project would actually improve those difficulties. She noted the intended swale would help.

Ms. Ferenc agreed. She stated the owner wanted to be a good neighbor and fix any existing drainage issues, if possible, in the first phase.

MOTION: A motion was made by Christi Gillespie, seconded by Lisa Ford.

**Move to approve PUD-001520-2024, Forest Ridge Tennis Facility, 19.9 acres, R-1 (Single Family Residential) to R-1/PUD (Planned Unit Development)-001520-2024, located one half mile south of Kenosha Street (71st Street), west of Midway Road (South 257th East Avenue)**

The motion carried by the following vote:

**Aye:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

**G. 24-952**

**Consideration, discussion, and possible approval of BAZ-001502-2024 (Rezoning) and PUD-001503-2024, Three Oaks, 13.9 acres, A-1 (Agricultural) to RS-4 (Single-Family Residential), located approximately one-eighth mile north of East Washington Street (East 91st Street South) and approximately one-quarter mile east of 23rd Street (193rd E Ave/County Line Road)**

Ms. Yamaguchi reported BAZ-001502-2024 and PUD-001503-2024 were requests to change the zoning on 13.9 acres of land from A-1 (Agricultural) to RS-4 (Single-Family Residential) with a PUD for Three Oaks, a proposed single-family residential development. She stated the property was located approximately one-eighth mile north of East Washington Street (East 91st Street South) and approximately one-quarter mile east of 23rd Street (193rd E Ave/County Line Road); the land was unplatted and undeveloped. She stated the Three Oaks development proposed to create a single-family development. She indicated the development would include Single-Family detached dwellings; neighborhood community playfields and parks including clubhouses, pools, and similar neighborhood amenities, minor utility facilities. She stated a 50-foot Green Space buffer would be along the western property boundary abutting the current residential district, along with a 6-foot fence with masonry columns. She stated a maximum of 45 lots served by public streets built to the standards of the City of Broken Arrow with two entry points on Washington Street (E. 91st Street South). She explained PUD-001503-2024 was proposed to be developed in accordance with RS-4 zoning requirements except as modified by the PUD (Planned Unit Development). She noted the minimum lot area was being reduced from 6,500 square feet to 5,000 square feet. She indicated Zoning Ordinance Section 4.1.E.1.B would permit 77 dwelling units with the proposed RS-4 underlying zoning, and 86 dwelling units would be permitted if RS-C under the pending new Zoning Ordinance; PUD-001503-2024 would restrict the development to 45 dwelling units. She stated in the meeting held on June 13, 2024, the Planning Commission subsequently recommended approval (4-0 vote) of PUD-001503-2024 & BAZ-001502-2024 per Staff recommendation. She stated Staff recommended subject to the property being platted. She indicated no one spoke in favor of or in opposition to this item. She stated the applicant did reach out to the neighbors and held a community meeting and brought in letters of support from neighboring property owners. She stated there was a question as to the condition of 91<sup>st</sup> Street, and there was a project underway to reclaim a portion of 91<sup>st</sup> Street and bring it up to City standards.

Vice Mayor Gillespie asked about the stub street to nowhere.

Ms. Yamaguchi noted this was brought up in Planning Commission as well. She stated the possibility of turning this into a cul-de-sac was discussed because it did look like it might lead somewhere, but it terminated at the 50-foot landscape buffer and was not intended to go through. She explained the street was designed just to provide frontage for two lots.

The applicant, Ricky Jones, stated the stub street was more of a glorified driveway; it was extended to provide frontage for two lots. He stated it was agreed through the PUD and with the neighbors that he would provide a six-foot solid fence at the property corners, and a barrier approved by engineering would be placed which would prevent cars from driving into the reserve area. He noted that with installation of a cul-de-sac, there would not be enough room for two lots, nor would pedestrian access to the reserve area and walking trails be possible. He stated pedestrian access would be provided at the end of this street to the passive recreation walking trail.

Vice Mayor Gillespie asked if a walking trail would be in the reserve area.

Mr. Jones responded in the affirmative. He stated he would work with engineering to install attractive vehicle barriers while enabling pedestrian access to the reserve area. He stated he would install a fence which would block headlights from shining into neighbor's homes. He indicated he had support of the neighbors who were aware of the road and the reserve area.

Vice Mayor Gillespie noted this was a first and she commended Mr. Jones for working to please the neighbors.

Council Member Parks stated it was unusual to have a street which looked like a stub street



but would not go through, but he felt as long as there were defining amenities, such as the barriers and the fence, which showed the street would never be a through street, he had no problem with this.

Mr. Jones noted the preliminary plat was submitted and reviewed, and if the zoning tonight was approved, engineering would begin.

MOTION: A motion was made by Christy Gillespie, seconded by Johnnie Parks.

**Move to approve BAZ-001502-2024 (Rezoning) and PUD-001503-2024, Three Oaks, 13.9 acres, A-1 (Agricultural) to RS-4 (Single-Family Residential), located approximately one-eighth mile north of East Washington Street (East 91st Street South) and approximately one-quarter mile east of 23rd Street (193rd E Ave/County Line Road)**

The motion carried by the following vote:

**Aye: 5 -** Justin Green, Lisa Ford, Johnnie Parks, Christy Gillespie, Debra Wimpee

**H. 24-961 Consideration, discussion, and possible action regarding COMP-001535-2024**

**(Comprehensive Plan Change), Iron Buck Acres, 15 acres, Level 1 to Level 6, generally located west of Oneta Road (241st E. Avenue) and north of Kenosha Street (71st Street)**  
Ms. Yamaguchi reported COMP-001535-2024 was a request to change the Comprehensive Plan designation from Level 1 to Level 6 on approximately 15 acres generally located West of Oneta Road (241st E. Avenue) and north of Kenosha Street (71st Street); the property was presently unplatted and undeveloped. She stated the applicant was interested in developing this property for industrial uses for future commercial office, warehouse, and mini storage. She stated pending approval of this amendment to the comprehensive plan, the applicant intended to submit a rezoning request to change the zoning to Industrial Light. She stated on August 15th, 2023, City Council approved the rezoning of the southern two properties to CG and IL with a Planned Unit Development (PUD), subject to platting. She explained at this time, the applicant proposed to expand the approved PUD area to include the property to the north. She noted in conjunction with the rezoning request, a Comprehensive Plan change to Level 6 was approved by City Council in 2017, subject to the property being platted. She stated this item was heard by Planning Commission on June 27, 2024, and was approved with a 5-0 vote per Staff recommendation. She indicated Staff recommended approval of COMP-001535-2024, subject to the property being platted. She noted there were no residents who spoke on this item.

Mayor Wimpee stated if this became industrial, it could become a grow facility.

Ms. Yamaguchi stated the PUD was submitted to Staff and no medical marijuana facilities were permitted. She noted the permitted uses were restricted down from what zoning ordinance would normally allow. She stated she believed the intention was to keep commercial on the hard corner and have the storage facility on the back of the property. She stated the detention facility proposed was on the far eastern side of the property and detention would be required for the site.

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

**Move to approve COMP-001535-2024 (Comprehensive Plan Change), Iron Buck Acres, 15 acres, Level 1 to Level 6, generally located west of Oneta Road (241st E. Avenue) and north of Kenosha Street (71st Street)**The motion carried by the following vote:

**Aye: 5 -** Justin Green, Lisa Ford, Johnnie Parks, Christy Gillespie, Debra Wimpee

**I. 24-963 Consideration, discussion, and possible action regarding COMP-001514-2024**

**(Comprehensive Plan Change), The Range at Tiger Crossing, A-1 to CG (via BAZ-1643), 17 acres, Level 2 and 4 to Level 4, located on the northwest corner of County Line Road (North 23rd Street) and East Albany Street (East 61st Street South)**  
Ms. Yamaguchi reported COMP-001514-2024 was a request to change the Comprehensive Plan designation from Level 2 (Urban Residential) and 4 (Commercial/Employment Nodes) to Level 4 for 17 acres located on the northwest corner of County Line Road and East Albany Street; the property was currently un-platted and undeveloped. She stated the development was proposed to be developed with a Planned Unit Development (PUD). She indicated a conceptual PUD was included in the agenda packet. She stated access would be provided off both Albany and County line, as shown in the conceptual layout. She explained essentially the back portion of the property was level 2 which supported single family residential almost exclusively, so the applicant was asking to expand Level 4 use with the intention of coming forward with a mixed-use development with the CM zoning along with a PUD. She stated this item was heard by Planning Commission on June 27, 2024, and was approved with a 4-0 vote per Staff recommendation. She stated Staff recommended to approve COMP-001514-2024, subject to City Council approving a PUD which was similar to the conceptual PUD provided, and the property being platted. She stated no one spoke in favor of or in opposition to this request.

Mayor Wimpee asked if the School had been consulted. She said she did not believe the

School would like this.

Ms. Yamaguchi stated the School was included in the 300-foot radius notification area and no one from the School contacted the City.

Vice Mayor Gillespie stated she asked a bunch of questions about this earlier. She said she had a hard time understanding what could be done now versus what could be done if approved.

Ms. Yamaguchi stated level 4 did allow for more commercial type uses whereas level 2 was almost exclusively single family residential, so basically the applicant was requesting to take away single family residential use and open the property up for more commercial type development.

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

**Move to approve COMP-001514-2024 (Comprehensive Plan Change), The Range at Tiger Crossing, A-1 to CG (via BAZ-1643), 17 acres, Level 2 and 4 to Level 4, located on the northwest corner of County Line Road (North 23rd Street) and East Albany Street (East 61st street South)**

The motion carried by the following vote:

Aye: 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

**J. 24-965 Considerations, discussion, and possible approval regarding PUD-001561-2024 (Planned Unit Development), Hillside Villas, 13.51 acres, A-1 (Agricultural) to RD (Residential Duplex)/ PUD (Planned Unit Development)-001027-2023, located one-quarter mile east of North Elm Avenue (North 161st East Avenue), one-quarter mile south of Omaha Street (East 51st Street)**

Ms. Yamaguchi reported PUD (Planned Unit Development)-001561-2024 was a proposed major amendment to PUD-001027-2023. She stated the property was 13.51 acres zoned A-1 (Agricultural) to RD (Residential Duplex) and PUD-001027-2023, Hillside Villas. She stated the property was generally located one-quarter mile east of North Elm Avenue, one-quarter mile south of Omaha Street; the property was presently undeveloped and un-platted. She reported the original PUD, PUD-001027-2023 and BAZ-001052-2023, were approved by City Council on November 7, 2023. She stated this rezoning and PUD were to facilitate a duplex development with private streets. She noted after this approval the developer approached staff about changing the development to a single-family detached development. She explained this was why PUD-001561-2024 was submitted, which would allow the applicant to change the allowed uses to include single family detached houses. She noted other dimensional requirements were changed with the PUD, namely the setbacks, instead of 5 feet and 5 feet, it was requested to go to 0 feet on one side and 3 feet on the other side. She stated Zoning Ordinance required a minimum front setback of 25 feet, and the PUD requested 20 feet, and lot coverage would be increased from 50 percent to 56 percent. She stated a 1-hour fire wall was required for the wall, which was within 3 feet of the property line, which would be on the side of the house with the 0-foot setback. She stated additionally, the applicant proposed that the 3-foot side setback be a maintenance easement. She reported vehicular access to this development was proposed to be provided through the extension of 1st Street from the north to the existing stub street, East Indianapolis Street, in the Country Lane Estates subdivision to the east. She stated a private, gated internal street with two access points off of the public street extension between 1st Street and East Indianapolis Street would serve this development. She indicated 1st street was a collector street which gave the proposed development direct access to North Elm Avenue. She noted PUD-001027-2023 allowed for private throughout the development, as shown in the conceptual exhibit. She stated PUD-001561-2024 was heard by Planning Commission on 6-27-24, where the commission recommended approval with a 5-0 vote per staff recommendation. She noted one neighbor signed up in opposition but did not wish to speak. She stated Staff recommended approval subject to the property being platted.

Mayor Wimpee asked where it would connect to the neighborhood to the east.

Ms. Yamaguchi explained East Indianapolis Street curved up and turned into 1<sup>st</sup> Street; this would be the main connection. She displayed an exhibit showing where the streets connected and where the private streets would be located.

Vice Mayor Gillespie stated the Indianapolis connection was a concern. She said when she looked at Indianapolis, it was a cul-de-sac, not a stub street.

Ms. Yamaguchi displayed the aerial map. She noted it was a cul-de-sac but was a stub street, which was strange.

Vice Mayor Gillespie noted she did not know if originally there were supposed to be homes all the way around the cul-de-sac. She stated if she lived on a cul-de-sac, she would never expect it to become a stub street. She noted Kansas was a stub street.

Mayor Wimpee noted the neighborhood was adamant against connecting to Kansas because there was already backup from parents lining Kansas to wait for their children to walk behind the school to their cars.

Ms. Yamaguchi noted there was a significant detention facility in the area as well which made connecting to Kansas very difficult. She stated notice was sent to the residents within 300 feet of the property and no residents called or signed up to speak on this Item.

Mayor Wimpee noted there was one in opposition who did not wish to speak.

Council Member Ford asked if the citizen indicated why she was in opposition.

Mayor Wimpee responded in the negative.

Council Member Parks asked what the Planning Commission vote was.

Ms. Yamaguchi responded the Planning Commission voted 5-0 in favor. She stated the streets to the internal neighborhood would be gated; only the main thoroughfare would not be gated which would allow the neighborhood access up through 1<sup>st</sup> Street and out.

Vice Mayor Gillespie asked if it would be gated at Indianapolis.

Ms. Yamaguchi displayed a map which showed where the gates would be located. She explained the new neighborhood would be gated internally, but there would be connection to Indianapolis which would allow the existing residents to exit and have access to 1<sup>st</sup> Street.

Vice Mayor Gillespie noted perhaps the residents on Indianapolis would appreciate having access to 1<sup>st</sup> Street all the way to Elm as opposed to having go around. She stated she could see the benefit. She stated she did not think the new development would go through the existing neighborhood as leaving up 1<sup>st</sup> Street was the easier access.

Council Member Green asked if City Manager Spurgeon had any comments.

City Manager Spurgeon stated he was concerned about how the School District felt. He asked if the School District had any comments.

Ms. Yamaguchi responded in the negative.

City Manager Spurgeon asked if City Staff called and spoke with the School.

Ms. Yamaguchi responded she was unsure.

City Manager Spurgeon stated he was surprised there were no residents present to speak.

Mayor Wimpee agreed she was also surprised.

Ms. Yamaguchi stated when Sentinel Crossing came forward there was a lot of opposition from the neighbors, so Staff was surprised as well.

Assistant City Manager of Operations Kenny Schwab noted when the previous subdivision came before Planning Commission and City Council, it showed a connection to Indianapolis, so a lot of the discussion about connectivity was held four years ago. He noted the exact layout was different, but the connectivity of the two properties was discussed at that point. He stated regarding the cul-de-sac on Indianapolis, this was a very similar situation to Mr. Jones' stub street which was not a stub street. He noted when it was constructed, it was intended to be a stub street, but it was so long it required a turnaround, so a cul-de-sac was added. He noted it was always planned to go through, but a hammer head or cul-de-sac had to be constructed at the time.

Mayor Wimpee asked if there were no objections to the reduced setbacks and reduced lot size.

Council Member Parks noted often when it was a gated community it was a quality community. He indicated it said a lot about a property when it was built as a gated community.

Vice Mayor Gillespie asked how conceptual this plan was.

Ms. Yamaguchi stated it was conceptual until City Council approved. She stated there was no preliminary plat at this point, so the layout might change a little bit, but it would be within the PUD requirements.

Council Member Parks asked if the gated community was included in the PUD requirements.

Ms. Yamaguchi responded in the affirmative. She noted the previous PUD was for a gated community and reduced size on the duplex lots; this was an amendment to the previous PUD changing the homes to single family detached with a 0-foot setback.

Vice Mayor Gillespie asked if this was similar to the gated retirement community off 81<sup>st</sup> which she felt was a cute little neighborhood.

Ms. Yamaguchi noted the applicant could better answer Vice Mayor Gillespie's question, but it was intended to be a retirement, downsizing-type community, with less lawn maintenance, but all the amenities.

Council Member Ford stated she thought the community Vice Mayor Gillespie was referring to was called Forest Hills; it had nice houses which were very close together with very small yards.

The applicant was not present to speak.

Vice Mayor Gillespie stated she would vote yes because she felt most of the traffic would be going out to Elm.

Council Member Parks stated he would vote no because he felt the applicant always needed to be in attendance.

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

**Move to approve PUD-001561-2024 (Planned Unit Development), Hillside Villas, 13.51 acres, A-1 (Agricultural) to RD (Residential Duplex)/ PUD (Planned Unit Development)-001027-2023, located one-quarter mile east of North Elm Avenue (North 161st East Avenue), one-quarter mile south of Omaha Street (East 51st Street)**

The motion carried by the following vote:

**Aye:** 3 - Lisa Ford, Christi Gillespie, Debra Wimpee  
**Nay:** 2 - Justin Green, Johnnie Parks

#### **10. Preview Ordinances**

##### **A. 24-906**

**Consideration, discussion and possible preview of an Ordinance revision updating Chapter 25, Stormwater Management of the Broken Arrow Code of Ordinances; Updating definitions to match Federal Emergency Management Agency (FEMA); Updating current floodplain maps to FEMA updates; Consolidating the design criteria to the Engineering Design Criteria Manual; repealing all ordinances to the contrary; and declaring an emergency**

Stormwater Division Manager Pat Wilson stated this was a Preview Ordinance for the Broken Arrow Stormwater Management Program. He noted the last major update was in 2002; this was an overhaul being done at the direction of City Manager Spurgeon. He noted Engineering and Construction worked with City Manager's Office on this update. He explained the FEMA maps were being updated to align with current FEMA maps; the rest was updated to meet with current Broken Arrow standards. He noted the definitions were updated, and the stormwater design criteria were moved to the Design Criteria Manual.

MOTION: A motion was made by Christi Gillespie, seconded by Lisa Ford.

**Move to preview the Ordinance and set it for adoption**

The motion carried by the following vote:

**Aye:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

##### **B. 24-953**

**Consideration, discussion and possible preview of an Ordinance closing a utility easement on property located one-eighth mile south of Omaha Street (51st Street), one-eighth mile west of North Elm Place (161st East Avenue), Tulsa County, State of Oklahoma, (Section 34, T19N, R14E), repealing all ordinances to the contrary; and declaring an emergency (EASE-001599-2024)**

Ms. Yamaguchi stated Items B through H on the Agenda were all for the same project. She explained these were all previously dedicated easements requested to be closed to facilitate the replat of the property for a single-family neighborhood. She stated the Ironwood development was approved in 2022 for 77 lots on approximately 22 acres. She noted there were six easements previously dedicated, but this development never went through, so the easements were being closed and vacated to make way for the new plat.

City Attorney Trevor Dennis stated it was Items B through G; Item H was a different project.

Ms. Yamaguchi concurred.

Mayor Wimpee asked if Items B through G could be approved with one motion.

City Attorney Dennis responded in the affirmative; the Items could be approved with one motion.

**MOTION:** A motion was made by Christi Gillespie, seconded by Johnnie Parks. **Move to preview the Ordinances in Items B, C, D, E, F and G, and set them for adoption**

The motion carried by the following vote:

**Aye:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimppee

**C. 24-956** Consideration, discussion, and possible preview of an Ordinance, closing a utility easement on property located one-eighth mile south of Omaha Street (51st Street), one-eighth mile west of North Elm Place (161st East Avenue), Tulsa County, State of Oklahoma, (Section 34, T19N, R14E), repealing all ordinances to the contrary; and declaring an emergency (EASE-001601-2024)

**D. 24-957** Consideration, discussion, and possible preview of an Ordinance, closing a utility easement on property located one-eighth mile south of Omaha Street (51st Street), one-eighth mile west of North Elm Place (161st East Avenue), Tulsa County, State of Oklahoma, (Section 34, T19N, R14E), repealing all ordinances to the contrary; and declaring an emergency (EASE-001605-2024)

**E. 24-958** Consideration, discussion, and possible preview of an Ordinance, closing a utility easement on property located one-eighth mile south of Omaha Street (51st Street), one-eighth mile west of North Elm Place (161st East Avenue), Tulsa County, State of Oklahoma, (Section 34, T19N, R14E), repealing all ordinances to the contrary; and declaring an emergency (EASE-001606-2024)

**F. 24-959** Consideration, discussion, and possible preview of an Ordinance, closing a utility easement on property located one-eighth mile south of Omaha Street (51st Street), one-eighth mile west of North Elm Place (161st East Avenue), Tulsa County, State of Oklahoma, (Section 34, T19N, R14E), repealing all ordinances to the contrary; and declaring an emergency (EASE-001607-2024)

**G. 24-960** Consideration, discussion, and possible preview of an Ordinance, closing a utility easement on property located one-eighth mile south of Omaha Street (51st Street), one-eighth mile west of North Elm Place (161st East Avenue), Tulsa County, State of Oklahoma, (Section 34, T19N, R14E), repealing all ordinances to the contrary; and declaring an emergency (EASE-001598-2024)

**H. 24-966** Consideration, discussion and possible preview of an Ordinance closing a utility easement on property located one-half mile north of New Orleans Street (101st Street), one-half mile west of 9th Street (Lynn Lane/177th East Avenue), Tulsa County, State of Oklahoma, (Section 23, T18N, R14E), repealing all ordinances to the contrary; and declaring an emergency (EASE-001033-2024)  
Ms. Yamaguchi indicated this Ordinance was for the replat of the ONG Facility called One Gas. She stated the property was being replatted and reconfigured and she asked to close this easement to facilitate putting a new easement where the building would go.

**MOTION:** A motion was made by Johnnie Parks, seconded by Christi Gillespie.

**Move to preview the Ordinance and set it for adoption**

The motion carried by the following vote:

**Aye:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimppee

## **11. Ordinances**

**A. 24-711** Consideration, discussion, and possible adoption of Ordinance No. 3833, an Ordinance

**of the City of Broken Arrow amending Chapter 2, Article XIV, Sections 2-212 and 2-215 of the Code of Ordinances, repeal all ordinances to the contrary and approve the emergency clause**

Tourism Manager Makala Barton stated in June 2022 the Broken Arrow Convention and Visitor's Bureau was officially changed to Visit Broken Arrow, and this Ordinance would clean up language which still referred to the Broken Arrow CVB, changing the language to reflect the VBA.

**MOTION:** A motion was made by Christi Gillespie, seconded by Justin Green.

**Move to adopt Ordinance No. 3833**

The motion carried by the following vote:

**Aye:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimppee

**B. 24-955** Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3833

MOTION: A motion was made by Johnnie Parks, seconded by Lisa Ford.  
**Move for the emergency clause**

The motion carried by the following vote:

**Aye:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

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

Vice Mayor Gillespie stated she was happy President Trump was healthy and safe and did not succumb to the assassination attempt. She commended and thanked the Senior Center Board, especially those who organized the Senior Center Luau fundraising event on Saturday night. She stated the Luau was fun and raised a bunch of money for the Senior Center.

Council Member Green commended the volunteers and City Staff who helped with the New Orleans Square Block Party for the Fourth of July which was an excellent event even though it had to be cut short due to the weather. He thanked the Emergency Management Team who were diligent and made sure the event went safely.

Mayor Wimpee commended Emergency Management as well. She noted the Emergency Management Team was able to clear the area safely and quickly.

Vice Mayor Gillespie stated she and her daughter owned a small business and had a tent set up during the Block Party. She thanked Council Member Green for his assistance in taking down the tent, loading it up and helping her get the tent back to the house safely.

Mayor Wimpee noted she, Vice Mayor Gillespie, and Council Member Ford would be leaving to go to Florida for a Women in Municipal Government Conference this week.

Council Member Ford stated she was looking forward to it; the Conference had an excellent Agenda.

Vice Mayor Gillespie agreed.

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

City Manager Spurgeon reported the City received conditional approval from the Railroad with regard to the crossing for the school east of Rosewood (in relation to the Amphitheater). He stated the Railroad would start the design for the crossing and hopefully the formal approval would come by the end of the year. He stated right now, the City was working on the south half of the road and working to get the necessary property to build the north side of the road as well, and after receiving approval would move forward with the project. He announced the Reasor's grand opening would be August 7<sup>th</sup> and 8<sup>th</sup>, 2024; Reasor's was talking about a soft opening on August 7<sup>th</sup> with a ribbon cutting ceremony on August 8<sup>th</sup>. He echoed Council Member Green's comments about the New Orleans Square Block Party. He echoed Vice Mayor Gillespie's comments about the Senior Center Luau. He stated on the Facebook pages for Police and Fire there had been announcements of promotions and he publicly acknowledged and congratulated the five individuals promoted within the Fire Department: Jacob Hughes (ph) and Steven Hines (ph) were promoted to Lieutenant; Trevor Elliot (ph) and Trevor Morgan (ph) were assigned to Station 7 and Station 1; and Scott Wickman (ph) was promoted to Captain. He stated right now the Department was working to fill the Deputy Operations Chief position as well. He stated last Friday, Brad Garas (ph) was promoted to Police Sergeant in a very nice ceremony. He noted the City Council was able to meet the new COBAU class; he thanked City Council.

Council Member Parks commended Kenny Schwab for his work regarding the railroad crossing. He stated this was not a project which just started with the Amphitheater, Mr. Schwab had been working to get this railroad crossing for a very long time. He thanked Mr. Schwab.

City Manager Spurgeon stated the Amphitheater was tentatively planning to host its first concert sometime in late September or early October of 2025.

At approximately 7:44 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 Christi Gillespie, seconded by Lisa Ford.

#### **Move for a recess for BAMA and BAEDA**

The motion carried by the following vote:

**Aye:** 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

At approximately 8:40 p.m. City Council entered into Executive Session.

MOTION: A motion was made by Christi Gillespie, seconded by Johnnie Parks.

#### **Move to enter into Executive Session**



The motion carried by the following vote:

Aye: 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

**14. Executive Session**

**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. Pending investigation and claim, including potential resolution, of a matter involving the tort claim of Lucas Sandman, et al., TRT1485,2024, and taking appropriate action in open session, if any, 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 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 Christi Gillespie, seconded by Debra Wimpee.

**Move to find the Executive Session necessary**

The motion carried by the following vote:

Aye: 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

MOTION: A motion was made by Christi Gillespie, seconded by Johnnie Parks.

**Move to authorize City Attorney to settle the tort claim of Lucas Sandman in amount recommended by City Attorney**

The motion carried by the following vote:

Aye: 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

City Council returned to open session at approximately 8:48 p.m.

**15. Adjournment**

The meeting was adjourned at approximately 8:48 p.m.

MOTION: A motion was made by Christi Gillespie, seconded by Lisa Ford.

**Move to adjourn**

The motion carried by the following vote:

Aye: 5 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

  
Mayor

  
City Clerk



