



City of Broken Arrow

Minutes 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

Tuesday, October 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

Reverend Katrina Palin 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

Vice Mayor Christi Gillespie led the Pledge of Allegiance to the Flag.

5. Consideration of Consent Agenda

MOTION: A motion was made by Justin Green, 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. 24-1407 Acknowledgement of upcoming out-of-state travel by City Council Members
- B. 24-85 Approval of the City Council Meeting Minutes of September 3, 2024
- C. 24-1428 Acceptance Planning Commission meeting minutes of August 22, 2024
- D. 24-1403 Approval of the Budget Calendar for Fiscal Year 2026
- E. 24-1424 Approval of and authorization to execute Budget Amendment Number 11 for Fiscal Year 2025
- F. 24-1426 Approval of and authorization to execute Budget Amendment Number 13 for Fiscal Year 2025
- G. 24-1355 Approval of and authorization to execute Resolution No. 1607, a Resolution of Necessity to condemn property located in the 5400 block of South 193rd East Avenue, Broken Arrow, Oklahoma, located in Section 31, Township 19 North, Range 15 East, Broken Arrow, Wagoner County, Oklahoma, for the 23rd Street Roadway Improvements, Albany to Omaha, Parcel 13.0, 13.1, 13.A (Project No. ST1931)
- H. 24-1417 Approval of and authorization to execute Resolution No. 1609, a Resolution to purchase approximately 32,701.33 square feet of land, located at 413 S Ash Avenue, from Union Pacific Railroad and approve and authorize execution of Fiscal Year 2025 Budget Amendment Number 10
- I. 24-1436 Approval of and authorization to execute Resolution No. 1611, a Resolution of the City of Broken Arrow to accept assignment of the purchase of the Grain Elevator and the accompanying .17 AC of Real Property from the Broken Arrow Economic Development Authority to City of Broken Arrow; Ratifying and approving all necessary documents be executed; designating certain officials to accomplish the acceptance of the assignment
- J. 24-1432 Approval of and authorization to execute the Competitive Grant Application for The Congestion Mitigation and Air Quality (CMAQ) Program to request funding for a new alternative fuel ADA-accessible van to expand the Broken Arrow Micro-Transit Fleet
- K. 24-1356 Approval of and authorization to execute Agreement for Professional Consultant Services with Professional Engineering Consultants, P.A. for providing design services on the 6th Street Widening project (Project Number ST1922)
- L. 24-1398 Approval of and authorization to execute an agreement with Trane to supply and install two (2) package rooftop units at the Police and Fire Training Center phase I via the OMNIA Partners Purchasing Cooperative
- M. 24-1399 Approval of and authorization to execute the inter-local agreement between Tulsa County and the City of Broken Arrow regarding cost sharing of pavement rehabilitation of Olive Avenue from Jasper Street to Yazoo Street

- N. 24-1350 Approval of and authorization to execute a Parks and Recreation Use Agreement between the City of Broken Arrow and the Broken Arrow Amateur Basketball Association, Incorporated
- O. 24-1227 Approval of and authorization to execute a Proclamation declaring November 1, 2024, as "Extra Mile Day" in Broken Arrow
- P. 24-1378 Approval of and authorization to purchase two (2) new American Emergency Vehicle (AEV) ambulances from Professional Ambulance Service DBA SERVS using a purchasing consortium, including the additional equipment needed for service and approval of and authorization to execute Budget Amendment Number 9 for Fiscal Year 2025
- Q. 24-1400 Approval of and authorization to purchase one (1) Caterpillar C7.1 PGAM 150kw stationary generator from Warren CAT pursuant to the Sourcewell Purchasing Cooperative
- R. 24-1409 Approval of and authorization to award the most advantageous bid 25.109 for Medical Oxygen and Industrial Gas, to American Medical Gas as the primary and Fullerton Welding Supply as a secondary vendor
- S. 24-1276 Approval of and authorization to execute Change Order No. 1 with Stronghand LLC for the Cedar Ridge Drainage Improvements (SW22050)
- T. 24-1411 Approval of and authorization to execute Change Order No. 1 with TLS Group for the Senior Center Hawk Beacon (TS24070)
- U. 24-1364 Acceptance of an Overland Drainage Easement from Forum Properties, LLC, on property located one-quarter mile north of Albany Street (61st Street), west of 23rd Street (County Line Road), Tulsa County, State of Oklahoma, (Section 36, T19N, R14E)
- V. 24-1361 Acceptance of a Utility Easement from Robert Fredrick, the owner, on property located at 6320 S 114th East Avenue, 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 1.0 for the Melinda Park Sanitary Sewer Improvements, Project No. S.23030
- W. 24-1359 Acceptance of a Utility Easement from Allen S. and Carolyn J. Hodges, the owners, on property located at 11522 East 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 8.0 for the Melinda Park Sanitary Sewer Improvements, Project No. S.23030
- X. 24-1278 Acceptance of a Utility Easement from Steven M and Candice E McCarther, the owners, on property located at 11512 East 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 6.0 for the Melinda Park Sanitary Sewer Improvements, Project No. S.23030
- Y. 24-1358 Acceptance of a Utility Easement from Melissa Rothrock, the owner, on property located at 11816 East 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 19.0 for the Melinda Park Sanitary Sewer Improvements, Project No. S.23030
- Z. 24-1353 Approval of BAZ-001692-2024 (Rezoning), Brook Chase Expanded, 17.69 acres, A-1 (Agricultural) to RS-4 (Single-Family Residential), located approximately one-eighth mile west of 23rd Street (193rd Avenue/County Line Road) and one-quarter mile north of Washington Street (91st Street)
- AA. 24-1427 Approval of BAZ-001744-2024 (Rezoning), Peak Development Rezoning, 14.11 acres, A-1 (Agricultural) to CH (Commercial Heavy), located one-half mile north of Tucson Street (121st Street), west of Aspen Avenue (145th E. Avenue), north of the Creek Turnpike
- AB. 24-1429 Approval of PR-000135-2022|PT-001717-2024, Park Place III, Conditional Final Plat, 17.09 acres, 75 lots, A-1 (Agricultural) and RS-3 (Single Family Residential)/PUD-304 (Planned Unit Development), approximately one-quarter mile north of Kenosha Street (71st Street), directly east of Midway Road (257th Avenue/79th E. Avenue)
- AC. 24-1430 Approval of PR-000074-2022 | PT-001686-2024, Conditional Final Plat, Creekside at Forest Ridge Phase II, approximately 21.56 acres, 53 proposed lots, A-1 to RS-3 located one-quarter mile north of Kenosha Street (71st Street), one-half mile east of Oneta Road (241st E. Avenue)
- AD. 24-1419 Approval of PT-001721-2024 | PR-000166-2022, Conditional Final Plat, One Gas Service Center, 15.59 acres, 1 Lot, R-1 (Single-Family Residential) to CG (Commercial General)/PUD-000725-2023, located one-half mile west of 9th Street (Lynn Lane) and one-half mile north of New Orleans Street (101st Street)
- AE. 24-1431 Approval of PT-001696-2024|PR-000223-2023, Conditional Final Plat for Algehazi Addition, 0.73 acres, A-1 to IL/PUD-000708-2023, approximately one-quarter mile north of Houston Street and one-quarter mile east of 23rd Street, southwest of the Broken Arrow Expressway
- AF. 24-1380 Approval of PUD-001660-2024 (Planned Unit Development) and BAZ-001703-2024 (Rezoning), Pathways Services, 8.3 acres, A-1 (Agricultural) to IL (Industrial Light), located approximately one-quarter mile west of Olive Avenue (129th Avenue) and directly south of Florence Street (111th Street)
- AG. 24-1395 Ratification of the Claims List Check Register Dated October 7, 2024

6. Consideration of Items Removed from Consent Agenda - NONE

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

A. 24-1282 Presentation of Certificates of Recognition to Brayden Phillips and Cooper White, 8th graders at Centennial Middle School, for their achievements as members of the Broken Arrow High School Fishing Club Team.

Mayor Wimpee discussed the achievements of two young anglers from Broken Arrow, Braden Phillips and Cooper White, were recognized. Both 13 and 14 years old and members of the Broken Arrow High School Fishing Club have made significant accomplishments, including being named the 2024 Oklahoma High School Fishing Northern Junior Angler of the Year and placing as state runner-ups in the Bass Federation. They also qualified for the Bass Federation Junior World and finished 21st out of 75 teams in a recent tournament. The council members praised their achievements, noting the valuable life skills learned through fishing, such as strategy and patience, and highlighted the involvement of their families in the sport. Certificates of recognition signed by Mayor Wimpee were presented to the young anglers, who were invited to take a picture with the council.

B. 24-1402 Approval of and authorization for the Mayor to execute a proclamation declaring the month of October 2024 as "National Colonial Heritage Month."

The proclamation acknowledges October 2024 as National Colonial Heritage Month in Broken Arrow, sponsored by the John Plum Chapter of the National Society Colonial Dames. It highlights the significance of the early settlers in shaping the United States and the obligation of descendants to preserve their legacy. The proclamation encourages citizens to appreciate their heritage and the principles of freedom, law, and respect for the country. Following the declaration, everyone is invited to participate in activities related to colonial history, and encourages exploring personal ancestry for exciting discoveries. The speakers expressed appreciation for the annual recognition of this month.

MOTION: A motion was made by Justin Green, seconded by Johnnie Parks.

Move to declare October as National Colonial Heritage Month

The motion carried by the following vote:

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

C. 24-1420 Approval of and authorization for the Mayor to execute a proclamation declaring the month of October 2024 as "Manufacturing Month."

Amber Miller thanks the Broken Arrow city officials for proclaiming October 2024 as Manufacturing Month, emphasizing the importance of manufacturing to the local economy by providing well-paying jobs, driving innovation, and attracting new investments. The proclamation highlights the significance of this month in improving public perception of manufacturing and inspiring the next generation about career opportunities in the field. It notes that Broken Arrow ranks third in Oklahoma for manufacturing, with over 300 local manufacturers contributing to the community's economic vitality. The proclamation aims to recognize and support the manufacturing sector's role in creating jobs and sustaining vibrant communities.

MOTION: A motion was made by Justin Green, seconded by Johnnie Parks.

Move to declare October as Manufacturing Month

The motion carried by the following vote:

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

D. 24-1377 Presentation of a Certificate of Recognition for Broken Arrow Soccer Club's 50th Anniversary

The Broken Arrow Soccer Club is publicly recognized for its 50th Anniversary, celebrated at Indian Springs Sports Complex. The speaker highlights the club's significant contribution to the community, noting its partnership with the Parks and Recreation Department. The club serves around 2,000 players and has nearly 6,000 participants, including coaches and families. Matt Yeager, the club president, expresses gratitude for the honor and acknowledges the improvements made by the parks department over the years. A certificate of recognition is presented, commending the club for its commitment to youth soccer since 1974. Council members share personal connections to the club, emphasizing its positive impact on the community and the relationships formed through participation in soccer.

E. 24-1388 Presentation and discussion of upcoming micro-survey about connectivity

Aaron McColloch addresses the Mayor, Vice Mayor, and council members, expressing enthusiasm for discussing a new micro survey on connectivity in Broken Arrow. This survey, focusing on pedestrian traffic, sidewalks, and trail systems, aims to improve non-motorized

travel. Reflecting on a comprehensive study from January, the speaker highlights that while the community had high satisfaction with the quality of life, connectivity and mobility were areas identified for improvement.

The micro survey consists of six questions exploring perceptions of street lighting, sidewalk maintenance, and pedestrian and bicycle infrastructure. Questions ask residents about their comfort and safety walking or biking to destinations, preferences for travel modes, and desired improvements. Respondents can also specify their area for localized feedback. The survey is anonymous but asks for location details to address specific needs. Set to launch next week, it will run for three weeks to gather actionable insights.

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) - NONE.

9. General Council Business

A. 24-1366 Consideration, discussion, and possible approval of one voting delegate and one alternate voting delegate for the National League of Cities Annual Business Meeting held on Saturday, November 16, 2024

Acting City manager Norm Stevens addresses the Mayor, Vice Mayor, and council members, discussing the upcoming National League of Cities meeting, where a designated voting delegate and alternate are required to represent the city in the annual business meeting. Historically, the Mayor, Vice Mayor, or City Manager has held the delegate position, though any official may be chosen. However, this year, the City Manager will not attend the meeting.

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

Move to declare Lisa Ford and Justin Green voting delegates for NLC

The motion carried by the following vote:

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

B. 24-1279 Consideration, discussion, and approval of and authorization to execute Agreement for Professional Consultant Services with Poe & Associates, Inc. for providing design services on the West New Orleans Street Widening from Garnett Road to Olive Avenue project (Project Number ST24200)

The Director of Engineering and Construction Charlie Bright presents a design contract for widening New Orleans Street from Olive to Garnett. This project is a critical corridor for the community, with its design funded by a 2018 bond, although construction funds were not included. The goal is to proceed with the design to begin right-of-way acquisition and utility relocation, anticipating construction funding in the next bond.

Additionally, Mr. Bright addresses the need for improvements on Garnett from 101st to 91st, a county road where the county is 95% ready to start work but faces delays due to floodplain issues. Wright notes that similar challenges will increase the cost and complexity of the city's portion. The design contract, valued at \$736,000 with Poe and Associates, reflects these complexities. Council members express eagerness for progress, emphasizing the importance of doing the work correctly to ensure safety and durability.

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

Move to approve an agreement with Professional Consultant Services with Poe & Associates, Inc.

The motion carried by the following vote:

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

C. 24-1363 Consideration, discussion, and possible award of the lowest responsible bid to Northeastern Irrigation & Landscape, Inc., and approve and authorize execution of a construction contract for the Broken Arrow Gateways Entry Signage Project (Project No. 201710)

Shannon Marshall, the Special Projects Division Manager, presents an entryway signage project for Broken Arrow that began in 2020. This initiative, part of the 2018 bond, includes four large primary signs, two more minor secondary signs, and eight fluted pole tertiary signs strategically placed at high-traffic locations to mark entry points into the city. The project aims to create a distinct identity for Broken Arrow, reinforcing its community pride and aesthetic. The contract is recommended to be awarded to the lowest bidder, Northeastern Irrigation and Landscape, for \$819,270.65. Council members express enthusiasm, emphasizing the signs' role in making Broken Arrow recognizable and enhancing its appeal. Future phases may include additional signs and potentially an iconic structure on the Broken Arrow Turnpike.

MOTION: A motion was made by Christi Gillespie to approve, seconded by Lisa Ford.
Move to approve Northeastern Irrigation & Landscape, Inc. for the Broken Arrow Gateways Entry Signage Project

The motion carried by the following vote:

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

- D. 24-1418 Consideration, discussion, and possible action regarding COMP-001570-2024 (Comprehensive Plan Change), Aspen Park, 7.4 acres, Level 3 to Levels 6, generally located one-quarter mile north of west Kenosha Street (East 71st Street South) and one-quarter mile east of North Aspen Avenue (South 145th East Avenue)**

Amanda Yamaguchi, Planning Development Manager, proposes to amend the comprehensive plan designation for a 7.5-acre undeveloped property near Kenosha Street and Aspen Avenue, changing it from Level 3 to Level 6. The site, partially platted as Aspen Park Village and limited by a 2002 PUD to golf course use, is now proposed for a mini storage development. The applicant seeks to abrogate the current PUD and has submitted a new conceptual PUD restricted to mini-storage. Staff recommends approval, contingent on the replotted property and the new PUD gaining Council approval. The Planning Commission has already approved this change.

MOTION: A motion was made by Johnnie Parks to approve, seconded by Justin Green.

Move to approve CPMP-001570-2024

The motion carried by the following vote:

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

- E. 24-1352 Consideration, discussion, and possible approval of COMP-001693-2024 (Comprehensive Plan Change), Brook Chase Expanded, 40.2 acres, Level 6 to Level 3, located approximately one-eighth mile west of 23rd Street (193rd Avenue/County Line Road) and one-quarter mile north of Washington Street (91st Street)**

Amanda Yamaguchi requested to amend the comprehensive plan for a 40-acre property from Level 6 to Level 3, supporting a proposed single-family residential subdivision. Located west of 23rd Street and north of Washington Street, this unplatted land would expand the existing Brook Chase development. The applicant submitted a rezoning request to RS4 for single-family homes and provided a preliminary plat with a conceptual layout. Staff recommends approval of this amendment, subject to platting, and the Planning Commission previously approved it with a 4-1 vote.

Council members also discussed ongoing updates to the zoning code, which are currently being reviewed in coordination with the school district, with a committee meeting scheduled for November 20. Members noted that the zoning update would help streamline approvals and planning consistency. The project will proceed through further planning and engineering stages.

Charlie Bright provided an update on the Washington and County Line intersection, addressing a question from the council. Initially part of a larger widening project funded by an STP grant, the project faced delays due to high drainage costs. The decision was made to focus STP funds on the intersection alone. Engineering is currently in the design scoping phase, with a design contract anticipated soon. However, due to a creek crossing at the site, the project is expected to be complex and costly, with a widened intersection likely years away.

Council members raised concerns about adding further development in the area, given existing sewer and traffic issues, especially with upcoming projects like a new amphitheater, which may increase traffic. One council member emphasized the need to resolve sewer issues before proceeding with any new developments in the area. The council agreed to defer the discussion to a future meeting to gather more information on sewer capacity and ensure the infrastructure can support additional development.

MOTION: A motion was made by Johnnie Parks to table the item until November 19, seconded by Debra Wimpee.

Move to approve COMP-00693-2024

The motion carried by the following vote:

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

- F. 24-1414 Receive bids for the purchase of \$23,500,000 General Obligation Bonds, Series 2024 of the city and vote to award said Bonds to the lowest bidder complying with the Notice of Sale and Instructions to Bidders or to reject all bids and authorize execution of the**

minutes of sale

Cindy Arnold discussed with the council the authorized solicitation of bids to sell \$23.5 million in general obligation bonds from the 2018 authorization at their regular meeting on September 17, 2024. The bids were opened today, and John Wolf will review them, with a recommendation needed from the council to accept a bid.

(John Wolf) advised the council that this morning, bids were reviewed for the sale of \$23.5 million in 20-year general obligation bonds from the 2018 authorization. Two bidders participated: BOK Financial Securities and Mesaro Financials. BOK Financial submitted the lowest bid with a genuine interest cost of 3.6161%, compared to Mesaro's 3.7594%. Given recent declines in interest rates, BOK's bid is favorable, and the recommendation is to accept it.

The bond funds are allocated for projects approved by citizens, including widening Houston (81st Street) from Lynn Lane to Highway 51, expanding Tucson Street (Aspen to the soccer complex), neighborhood street repairs, and upgrades for playgrounds in eight neighborhoods. Additional funds for street improvements are supplemented by an \$8 million sales tax revenue allocation.

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

Move to approve the purchase of \$23,500,000 GO Bonds, Series 2024

The motion carried by the following vote:

Aye: 5

Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

- G. 24-1433 Consideration, discussion, and possible action regarding COMP-001715-2024 (Comprehensive Plan Change), Gatesway Multi-Family, 35.5 acres, Level 3 and 6 to Level 3, located on one-half mile north of East Houston Street (81st Street) and one-quarter mile east of 9th Street (177th East Avenue/ Lynn Lane Road)**

Amanda Yamaguchi requested to change the comprehensive plan designation from Level 2 to Level 4 for a 17-acre site half a mile north of Houston Street and a quarter mile east of 9th Street. The proposal is for a planned unit development (PUD) for multi-family housing in collaboration with the Gatesway Foundation. This request is the initial step, with rezoning and PUD applications to follow if approved. There was some confusion among council members about location details, but Ms. Yamaguchi clarified that it does not involve Albany Street, and the applicant will provide additional specifics.

A representative from the Gatesway Foundation, also a city manager in a neighboring area, addressed the council regarding a planned multi-family development on Gatesway's property in Broken Arrow. Gatesway, which has served individuals with intellectual and developmental disabilities (IDD) in the area for nearly 60 years, aims to create dignified housing for its residents and support workforce housing needs. Partnering with Beacon, a property management company, Gatesway plans to reserve 20% of the units for the population it serves, with the rest available for community members. Beacon will provide capital and manage the property, while Gatesway retains a majority interest.

Concerns about safety and vetting processes were addressed, with assurances that all tenants would undergo extensive background checks, similar to hiring standards for city staff. The project is part of Gatesway's goal to integrate its residents into the community while ensuring a safe and supportive environment. Gatesway is also enhancing its campus with community spaces and exploring ways to host events like the balloon festival.

The council raised questions about infrastructure needs, particularly the condition of College Street, but expressed overall support and appreciation for Gatesway's longstanding contributions to the community.

Shannon Tudor from Beacon discussed a commissioned traffic study for a proposed development, with results expected by November 7th. To ensure safety, the study will help identify necessary traffic improvements, such as turn lanes or lights. A council member expressed confidence in Beacon's mission and highlighted the development's benefits, including workforce housing options for teachers and first responders.

In a separate update, it was noted that there are currently no specific plans for road improvements in the area, as traffic counts are not expected to be high. However, intersections may need adjustments, such as turn lanes. Additionally, nearby access to Lynn Lane and County Line, which has been widened, is expected to help with traffic flow.

Speaking for several community members, Resident Steve Swagger expressed concerns about a proposed 180-unit apartment complex related to a comprehensive plan change. He noted potential issues, including increased traffic on College Street and nearby roads used by school

buses, potentially adding congestion and accident risks. Other concerns included the strain on local schools from an influx of children and the possibility of increased crime associated with apartment environments. However, he clarified these concerns weren't directed at any group. Swagger emphasized that while they support affordable housing, they hope it will be developed responsibly, preserving neighborhood safety and harmony.

Ben Thomas raised concerns about a proposed 180-unit apartment complex on College Street, emphasizing issues with existing infrastructure. Living on College Street, he highlighted the likely strain on the sewer system, noting his experiences with sewer line maintenance. He questioned the affordability of the planned units, pointing out that local wages might not support the \$907 monthly rent for a one-bedroom unit. Additionally, Thomas argued that College Street's narrow, worn condition is unsuitable for high-traffic apartments without significant road widening and intersection improvements. He emphasized the need to fully assess the infrastructure costs associated with adding multi-family housing in a single-family residential area.

Shannon Tudor clarified that the \$900/month rent applies to general workforce housing, not the subsidized units for Gatesway residents. This multi-family project, designed to integrate individuals with disabilities alongside other community members, involves close collaboration with the city on infrastructure, and a recent traffic study's results are pending.

City officials addressed concerns about sewer capacity, explaining a recent issue with Blue Bell Creamery's wastewater, where high flow during a concentrated time period caused overflows. A temporary solution, spreading the flow throughout 24 hours, has resolved immediate issues, and a long-term plan will reroute industrial waste directly to a main trunk line. Additionally, the city performs regular smoke tests to identify and address sewer line infiltration due to aging infrastructure, aiming to reduce excess water flow during rain events.

In summary, the proposed development includes safeguards for affordability and safety while city staff works on infrastructure improvements to support increased housing demands responsibly.

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

Move to approve COMP-001715-2024

The motion carried by the following vote:

Aye: 5

Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

10. Preview Ordinances - NONE

11. Ordinances

- A. 24-1404 Consideration, discussion, and possible adoption of Ordinance No 3784-corrected, an Ordinance of the City of Broken Arrow, a Municipal Corporation of the State of Oklahoma, creating the "PSO 1% Franchise Fee Funds" for Economic Development to include maintenance and repairs of the City's right-a-way, public health, and safety improvements, for aesthetics purposes and other economic development opportunities; repeal all ordinances to the contrary; and approve the emergency clause**

Cindy Arnold explained that voters approved an additional 1% PSO franchise fee on February 14, 2023, designated for economic development and infrastructure. Ordinance 3784 establishes this 1% fee, splitting it into two separate funds: economic development and infrastructure improvements. Each fund will receive 0.5%, ensuring transparency and accountability. Any expenditures from these funds will require council approval. The ordinance had a couple of errors that needed correction.

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

Move to approve Ordinance 3784 - Corrected

The motion carried by the following vote:

Aye: 5

Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

- B. 24-1405 Consideration, discussion, and possible approval of an emergency clause for Ordinance No. 3784-corrected**

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

Move to approve the emergency clause for Ordinance 3784 - Corrected

The motion carried by the following vote:

Aye: 5

Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie, Debra Wimpee

- C. 24-1412 Consideration, discussion, and possible approval of Ordinance No. 3847, an Ordinance providing for the issuance of General Obligation Bonds, Series 2024, in the sum of \$23,500,000 by the City of Broken Arrow, Oklahoma, authorized at an election duly**

called and held for such purpose; prescribing form of Bonds; providing for registration thereof; designating the registrar for the issue; providing for levy of an annual tax for the payment of principal and interest on the Bonds and fixing other details of the issue; approving the forms of a Continuing Disclosure Agreement and an Official Statement; authorizing executions and actions necessary for the issuance and delivery of the Bonds; and declaring an emergency

Cindy Arnold presented Ordinance 3847, which authorizes the issuance of a \$23.5 million general obligation bond series for 2024 in Broken Arrow. The ordinance includes bond registration details, designates registrars, and establishes an annual tax levy for bond repayment. This ordinance finalizes the required steps for the bond sale authorization, which was previously discussed. Staff recommends adopting Ordinance 3847 and approving the emergency clause to proceed with the sale.

MOTION: A motion was made by Justin Green to approve the corrected ordinance, seconded by Christi Gillespie.

Move to approve Ordinance 3847

The motion carried by the following vote:

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

D. 24-1413 Consideration, discussion, and possible approval of an emergency clause for Ordinance No. 3847

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

Move to approve the emergency clause for Ordinance 3847

The motion carried by the following vote:

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

E. 24-1375 Consideration, discussion, and possible adoption of Ordinance Number 3846, an ordinance amending Chapter 6, Building and Building Regulations, Article IV, Electrical Code; Section 6-66, Adoption of National Code; amendments; repealing all ordinances to the contrary and declaring an emergency

Amanda Yamaguchi explained that the ordinance was introduced to correct an unintentional change when Ordinance 3746 was passed in September 2022. That ordinance had updated the city's electrical code to the 2018 version instead of the 2020 version. The current ordinance is bringing the city's electrical code into compliance with the correct 2020 code.

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

Move to approve Ordinance 3846

The motion carried by the following vote:

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

F. 24-1368 Consideration, discussion, and possible approval of an emergency clause for Ordinance No. 3846

MOTION: A motion to adopt the emergency clause was made by Johnnie Parks, seconded by Justin Green.

Move to approve the emergency clause for Ordinance 3846

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

Council Member Johnnie Parks shared a personal reflection about their time working in prisons, where they noticed the absence of inmates interested in fishing or cowboy culture. They attributed this to the lack of family members or mentors to introduce these activities, such as fathers or grandfathers taking kids fishing or teaching them about ranch life. The speaker emphasized that family or close mentors are vital to fostering these interests, and they expressed joy in seeing young people engaged in such activities.

Mayor Debra Wimpee also highlighted several upcoming community events, including the "Walk for Freedom" on October 19, "Trash Bash" on the same day, "Safety Spooktacular" on October 26, and various veterans' events in November, such as the Veterans Parade and Salute to Veterans Concert. Additionally, they mentioned the election on November 5 and encouraged everyone to attend the events.

Mayor Wimpee also expressed excitement about the new city logo on a city vehicle (a US-138), the official groundbreaking of the amphitheater, and the innovation district. Finally, they wrapped up the discussion with a lighthearted comment about not having gone fishing yet.

13. Remarks and updates by City Manager, including Recognition of Recent Accomplishments by Employees and Elected Officials – NONE

At approximately 8:09 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 Justin Green, 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 8:23 p.m. the room was cleared for Executive Session.

MOTION: A motion was made by Johnnie Parks, seconded by Justin Green.

Move to clear the room for Executive Session

The motion carried by the following vote:

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

At approximately 8:26 p.m. City Council entered into Executive Session

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:

A pending eminent domain litigation proceeding, asserted by the City of Broken Arrow against J. Michael Ritze and Connie Ritze et al., Tulsa County District Court Case No. CJ-2024-2454, and taking appropriate action in open session, including possible authorization to settle the proceeding, 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.

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

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 the City Attorney to settle the matter of City of Broken Arrow V Ritze

The motion carried by the following vote:

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

Returned to Open Session at 8:35pm

15. Adjournment

The meeting was adjourned at approximately 8:36 p.m.

MOTION: A motion was made by Debra Wimpee, seconded by Justin Green.

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