



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, March 19, 2024	Time 6:30 p.m.	Council Chambers
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1. Call to Order

Vice Mayor Christi Gillespie called the meeting to order at approximately 6:30 p.m.

2. Invocation

Pastor Scott Moore performed the invocation.

3. Roll Call

Present: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie
Absent: 1 - Debra Wimpee

4. Pledge of Allegiance to the Flag

Council Member Johnnie Parks led the Pledge of Allegiance to the Flag.

5. Consideration of Consent Agenda

Vice Mayor Gillespie indicated Item L would be removed until after BAMA and BAEDA. She asked if there were any Items to be removed from the Consent Agenda.

Council Member Green asked for Item F to be removed for discussion.

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

Move to approve the Consent Agenda less Items F and L

The motion carried by the following vote:

Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

- A. 24-71 Approval of the City Council Meeting Minutes of March 5, 2024**
- B. 24-386 Acceptance of Planning Commission meeting minutes of February 8, 2024**
- C. 24-380 Approval of and authorization to execute all required documents included in the Tulsa County Urban County Community Development Block Grant (CDBG) Application for Federal Fiscal Year 2024 (FFY2024) Funds and approve and authorize execution of Resolution No. 1564**
- D. 24-263 Approval of and authorization to execute a Proclamation declaring the week of March 25, 2024 Arbor Week**
- E. 24-379 Approval of and authorization to execute an agreement with Paypoint HR to provide deliverables associated with a classification study for all non-uniformed employees**
- F. 24-364 Approval of and authorization to execute a Professional Consultant Agreement with Professional Engineering Consultants, P.A. (PEC, P.A.) for the Construction Design of the Highland Park Rugby Fields (Project No. 2460370)**
- G. 24-363 Approval of and authorization to execute a Professional Consultant Agreement with Professional Engineering Consultants, P.A. (PEC, P.A.) for the design of construction drawings for Nienhuis Park - Synthetic Turf (Project No. 2460360)**
- H. 24-357 Approval of and authorization to execute a Memorandum Inter-Local Cooperation Agreement between Wagoner County and the City of Broken Arrow concerning provision of Traffic Enforcement on the roadway of 101st Street South from 209th East Ave. to 225th East Ave. and on 209th East Ave. from 101st Street South to 113th Street South**
- I. 24-391 Approval of and authorization to execute a Parks and Recreation Use Agreement between the City of Broken Arrow and the Broken Arrow Volleyball Club for the use of Nienhuis Park Community Center**
- J. 24-398 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 \$50,000 or less**
- K. 24-313 Approval of and authorization to purchase a new Jail Video server from Dell to replace the current server**
- L. 24-405 Approval of and authorization to execute Budget Amendment Number 25 for Fiscal Year 2024**

- M. 24-397 Award the lowest responsible bid to Cherokee Pride Construction Inc. and approve and authorize the execution of a landscape contract for the Park on Florence 2nd Detention Pond Improvements - Phase II project (SW1922)
- N. 24-389 Approval of the nomination and re-appointment of Denise Mason to the Broken Arrow Drainage Advisory Committee with a term expiring March 19, 2028
- O. 24-393 Notification of City Manager's issuance of letter of release for utilities service for a proposed development outside the City Limits of Broken Arrow but within the fence line
- P. 24-318 Approval of and authorization to execute Change Order #5 with Sherwood Construction Co, Inc., for Oklahoma Department of Transportation project # STP-172N(455)IG, (City of Broken Arrow project # ST0914 - 23rd Street Improvements from Houston Street to Kenosha Street)
- Q. 24-399 Approval of BAZ-001285-2024 (Rezoning), Project 111 Rezoning, 2.2 acres, A-1 (Agricultural) to RS-1 (Single-Family Residential), located approximately one-quarter mile south of West Florence Street (East 111th Street South), one-quarter mile west of South Aspen Avenue (South 145th East Avenue)
- R. 24-359 Ratification of the acceptance of a Utility Easement consisting of 0.06 acres and a Temporary Construction Easement consisting of 0.03 acres from Aspen Square, Inc., a Oklahoma corporation, on property located at 21848 East Highway 51, Broken Arrow, Oklahoma, located in part of the Northeast Quarter of Section 20, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma for the Wagoner County Trunk Sewer Improvements, Parcel 6.A, 6.1 (Project No. S.22020)
- S. 24-385 Acceptance of a Utility Easement from Eagle-1 Investments, LLC, on property located one-eighth mile north of Washington Street (91st Street), one-quarter mile west of 23rd Street (County Line Road), Tulsa County, State of Oklahoma, (Section 13, T18N, R14E) (EASE-001336-2024)
- T. 24-388 Acceptance of a Utility Easement 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-001338-2024)
- U. 24-321 Acceptance of a Utility Easement from Howard J. Tillinghast, the owners, on property located at 11602 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 10.0 for the Melinda Park Sanitary Sewer Improvements. Project No. S.23030
- V. 24-360 Acceptance of a Utility Easement from Spectrum Property Services, LLC, an Oklahoma limited liability company, the owners, on property located at 11622 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 14.0 for the Melinda Park Sanitary Sewer Improvements. Project No. S.23030
- W. 24-351 Acceptance of a Utility Easement from The Revocable Trust of Steven A & Melissa L Worden on property located at 11826 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 21.0 for the Melinda Park Sanitary Sewer Improvements, Project No. S.23030
- X. 24-329 Acceptance of a Utility Easement from William T and Tracy S Osburn, husband and wife, the owners, on property located at 11502 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 4.0 for the Melinda Park Sanitary Sewer Improvements, Project No. S.23030
- Y. 24-387 Acceptance of a Waterline Easement from Independent School District No. 3, on property approximately one-half mile north of New Orleans Street (101st Street) and east of Elm Place (161st Street), shown as Exhibit A and B (Section 23, T18N, R15E) (EASE-001348-2024)
- Z. 24-368 Ratification of the Claims List Check Register Dated March 11, 2024

6. Consideration of Items Removed from Consent Agenda

Vice Mayor Gillespie read Item F: "Approval of and authorization to execute a Professional Consultant Agreement with Professional Engineering Consultants, P.A. (PEC, P.A.) for the Construction Design of the Highland Park Rugby Fields (Project No. 2460370)."

Director of Engineering and Construction Charlie Bright reported this was to approve the design of Phase 1 of Highland Park which would consist of an all-purpose rugby field and a small parking lot facility. He noted a couple of years ago the Master Plan encompassed a much larger vision for this park, and this was one small piece of the vision.

Council Member Justin Green indicated he asked for this Item to be removed from the Consent Agenda because he felt it was a big deal and the citizens would be excited to see the project moving forward. He said this was a good thing for the community and it was good for the community to know it was coming up.

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

Move to approve the Consent Agenda Item F

The motion carried by the following vote:

Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

Vice Mayor Gillespie called for a motion to table Item L until after the BAEDA meeting.

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

Move to table Consent Agenda Item L until after the BAEDA meeting

The motion carried by the following vote:

Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

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

A. 24-378 Presentation by Oklahoma Municipal League and recognition to City employees for reaching twenty-five years of service

Human Resources Director Kelly Cox introduced the Oklahoma Municipal League (OML) representatives who would recognize Broken Arrow employees who had worked for the City for 25 years.

Ms. Cheryl Owens introduced Mayor Joyce Calvert, the Mayor of Glenpool, Oklahoma.

Mayor Joyce Calvert stated she was happy to be present. She indicated the City Manager of Glenpool, David Tillotson, was present. She stated as the Mayor of the neighboring city she knew many of the members of the City Council and Broken Arrow Staff. She stated there were 11 employees with 25 years of service to be recognized this evening, but only two could be present. She read the names of the Broken Arrow employees who had served the City for 25 years: Melinda Arivett, Accounting Technician-Revenue; Debra Bell, Administrative Assistant Fire Department; Ian Buchanan, Police Sergeant; Jamie DuFriend, Police Sergeant; Stephen Geiger, Police Sergeant; Brian Gerber, Police Sergeant; Daniel Hurst, Police Captain; Timothy Jentsch, Police Sergeant; Bradley Klingenberg, Police Sergeant; Barry Pickup, Police Officer; and Rhianna Russell, Police Officer. Mayor Calvert presented Debra Bell and Brian Gerber with a Certificate of Recognition and pin. She congratulated, commended, and thanked Ms. Bell and Mr. Gerber.

Commemorative photos were taken.

B. 24-382 Presentation of update on city employee participation in 2024 Leadership Broken Arrow program

Director of Communications Aaron McColloch introduced Finance Director Cindy Arnold and Police Captain Brandon Tener. He indicated he, Ms. Arnold and Captain Tener worked together, with Assistant City Attorney Graham Parker and Fire Chief Jeremy Moore, on the Leadership Broken Arrow program. He provided a brief history about the Leadership Broken Arrow program, a 10 month program to further the leadership skills of Broken Arrow employees. He stated this program was a direct result of Mr. Schwab's, Mr. Spurgeon's, and Mr. Stephen's commitment to internal growth.

Finance Director Cindy Arnold reported participants in the Leadership Broken Arrow (LBA) program would meet once a month for ten months to discuss different topics. She reported the first meeting's topic was the history of Broken Arrow and participants visited Happy Hands, Broken Arrow Seniors, New Leaf, BA Neighbors, Griffon's Promise and Gateway. She indicated all participants became certified in CPR. She indicated the second month's topic was education and participants visited the Vanguard Academy, BA High School and NSU. She stated the Leadership program provided an excellent learning experience. She said she learned a lot about the history of the City, especially given she did not live in Broken Arrow.

Council Member Lisa Ford noted this year's Leadership program had not yet studied public safety.

Ms. Arnold concurred.

Police Captain Brandon Tener agreed this program was excellent, and even as a Broken Arrow resident he learned a great deal during the Broken Arrow History session. He stated the Leadership Broken Arrow 2024 class chose "Step Into Technology" as its class project which aimed at assisting the Senior population of Broken Arrow with the use of modern technology. He stated Broken Arrow Seniors were the wisest citizens in Broken Arrow, but computers, tablets, and smartphones could create frustration. He indicated the goal of the project was to assist interested seniors in basic tasks up to more advanced features if there were interest. He stated this could help improve the quality of life for Broken Arrow Seniors. He stated the LBA class of 2024 would be working directly with the Seniors at the Broken Arrow Senior Center on April 2 and April 3. He invited any of the City's leadership to attend.

Mr. McColloch noted he saw many Broken Arrow employees present who had participated in the LBA in past years.

Council Member Ford stated she felt LBA had come a long way since its first class in 2001 (in which she participated). She noted LBA was sponsored by the Broken Arrow Chamber. She noted participants in the LBA program were required to attend a certain number of Board meetings for a variety of city services (such as the Broken Arrow Senior Center), as well as a City Council Meeting and a Broken Arrow Public School Board Meeting.

Mr. McColloch concurred noting participants were required to attend four board meetings: one City Council, one School Board, and two non-profits.

Council Member Ford indicated the Senior Center was looking forward to the classes on April 2 and April 3. She stated she hoped the City would continue this program as it was an excellent program.

City Manager Michael Spurgeon stated there were many reasons why Leadership Broken Arrow was important, and he applauded the Chamber for its efforts in administering this program. He stated one key benefit of the program was the 40 participants were taken from all different parts of the City and the participants were able to get to know one another and form working relationships which would carry into the future and create a stronger community.

Council Member Parks agreed noting he referred to his list of LBA participants often.

C. 24-412 Presentation regarding Street Closure Permit for the lane closure of a portion of Aspen Avenue from Lansing Avenue to the 1400 block of Aspen Avenue for natural gas pipe construction

Mr. Charlie Bright stated he wished to make the City Council and the Community aware of this lane closure permit request from ONG on Aspen Street, southbound, in front of the Dunkin Donuts. He noted the road would be closed in the mornings but opened in the afternoons. He indicated it would take approximately one month to complete the work. He stated this was a busy intersection and there would most likely be traffic buildups as a result.

Council Member Ford noted the traffic flow at Dunkin Donuts already backed up on occasion. She asked how this project would affect the traffic flow into and out of Dunkin Donuts.

Mr. Bright stated the project should not negatively impact the Dunkin Donuts; there would still be access to the business.

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)

Vice Mayor Gillespie indicated one Citizen signed up to speak.

Citizen Doree Trent discussed her concerns about the Amphitheater. She noted she did not hear anything about potential contingency plans if something happened and the Amphitheater did not get built, or if there were a disaster during a concert at the Amphitheater, or if the Amphitheater were no longer viable. She stated whatever occurred in this area, it was important it remained within the Parks and Recreation Plan and did not become a distribution center or apartments or a commercial business area.

Vice Mayor Gillespie noted City Council was not allowed to take any action regarding Ms. Trent's comments, but she enjoyed Ms. Trent's point of view, and she agreed contingency plans should be in place.

City Manager Spurgeon stated disasters were a legitimate concern. He stated once Notes Live program organizers were on site, the City's Emergency Management Team, Public Safety Team and Administration would meet with the Notes Live organizers to discuss the disaster plans, just like discussions would be held regarding traffic management plan. He stated he could provide City Council with an update with regards to disaster plans once the plans were set into place. He noted regarding whether the Amphitheater was to be built, construction was slated to begin this summer. He stated the Amphitheater was planned to open after Labor Day 2025. He stated in terms of Amphitheater viability, Notes Live was investing over \$70 million dollars and he did not see Notes Live walking away from the project in the future; however, the area would remain a recreational area. He stated he did not see the Events Park ever turning into something other than a recreational area for the community.

Council Member Parks noted the existing park was built with a bond issue and as such would always remain a park area. He stated he agreed with City Manager Spurgeon that this area would always remain a park area. He noted Broken Arrow was proud of its park system.

9. General Council Business

A. 24-341 Consideration, discussion, and possible approval of and authorization to execute Amendment Number 1 to the Agreement for Professional Consulting Services with Poe & Associates, Inc. for the Houston Street Widening from Garnett Road to Olive Avenue (ST2028)

Mr. Bright reported the City planned to be in construction soon on this project; the project design was completed and unfortunately there was a conflict with a gas line owned by Energy Transfer. He stated the road was not in conflict itself with the gas line, but Energy Transfer had its own dedicated easement just outside the City's right-of-way and the City would be working near and would have some earth fill going over the top of the gas line. He stated during discussions with Energy Transfer, Energy Transfer had always been open to this, but upon further investigation it was found the gas line only had 6 inches of coverage in the creek down by Olive Street which presented a safety issue and Energy Transfer decided the City could not work around or on top of the gas line. He stated Energy Transfer wanted the City to pay to move the gas line which would cost around \$2 million dollars. He indicated the City was unwilling to spend \$2 million dollars to move the gas line and ultimately the solution was to redesign the project and move the road 9 feet south away from the gas line. He explained moving 9 feet would enable the City to stay inside the statutory right-of-way and not encroach on Energy Transfer's dedicated easement. He indicated this Amendment was to pay Poe and Associates to change the design and move the road away from the gas line.

Council Member Parks asked if Energy Transfer planned to lower its gas line.

Mr. Bright stated he could not speak for Energy Transfer, but he knew of no plans for this.

Council Member Parks asked if it was a high pressure line.

Mr. Bright responded it was a 24 inch high pressure line.

City Manager Spurgeon asked how the east mile would line up.

Mr. Bright responded the road shift would be in conflict with the east mile. He stated the east mile had a different consultant, the City was in discussion with the east mile's consultant, and the City would need to realign the road through the intersection. He stated he imagined another Amendment for redesign with the east mile's consultant would be upcoming.

City Manager Spurgeon stated there had been much discussion with Energy Transfer who was not being the most cooperative; however, the City needed to move forward with widening the road.

Council Member Parks asked if the gas line was only shallow where it crossed the creek.

Mr. Bright responded the gas line was most shallow where it crossed the creek, but he believed it was shallower than regulations allowed throughout the whole area.

Council Member Parks stated he felt this was a problem.

Mr. Bright agreed it was a safety concern.

Vice Mayor Gillespie asked if there were laws in place to protect the City and the citizens if it was a safety concern.

Mr. Bright stated he was unsure but could find out.

Assistant City Manager over Operations Kenny Schwab reported this line was installed in the 1950s, so the line would be grandfathered in according to the laws in the 1950s. He stated as it also had a dedicated easement, Energy Transfer had the right to dictate what was done within the easement. He stated he felt moving the road over 9 feet was an excellent solution to the problem. He asked about the time frame for the redesign.

Mr. Bright responded Poe and Associates already began the redesign work and he believed the project could still go out to bid in the early summer.

Mr. Schwab stated he understood on the east mile, the gas line came in around mid-mile, halfway between Olive and Aspen on the north side and west of Olive it crossed back over. He thanked the Engineering Team for coming up with this solution as he believed it would allow the City to move forward with the project. He noted fortunately on the next mile there was a lot of open space.

City Manager Spurgeon noted the intersection at Aspen and Houston on the west side was

rough and he did not believe it could wait a few years before repair. He stated he felt the City needed a solution for this intersection.

Mr. Schwab stated he believed Mr. Rocky Henkel included something in the budget for the Aspen and Houston intersection.

Council Member Ford stated she owned stock in Energy Transfer, and she wanted to be sure if she voted it would not be a conflict of interest.

City Attorney Trevor Dennis indicated there was no conflict of interest as the City was not profiting from this Amendment and was not entering into a contract with Energy Transfer.

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

Move to approve and authorize execution of Amendment Number 1 to the Agreement for Professional Consulting Services with Poe & Associates, Inc. for the Houston Street Widening from Garnett Road to Olive Avenue (ST2028)

The motion carried by the following vote:

Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

10. Preview Ordinances

There were no Preview Ordinances.

11. Ordinances

- A. 24-353 Consideration, discussion, and possible adoption of Ordinance No. 3825, an ordinance amending the Broken Arrow Code of Ordinances, Chapter 23 - Traffic; Article IV. - Stopping, standing and parking; Division 1. - Generally; repealing all ordinances to the contrary, and declaring an emergency**

Acting Community Development Director Grant Rissler noted this Ordinance was previewed at the last City Council meeting. He stated this Ordinance was an amendment to prohibit overnight parking on Friday nights next to the History Museum to prevent conflicts with the Saturday morning Farmer's Market.

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

Move to adopt Ordinance No. 3825

The motion carried by the following vote:

Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

- B. 24-354 Consideration, discussion, and possible approval of an emergency clause for Ordinance 3825**

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

Move for the emergency clause

The motion carried by the following vote:

Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

- C. 24-355 Consideration, discussion, and possible adoption of Ordinance No. 3826, An Ordinance of the City of Broken Arrow amending Chapter 6, sections 6-22, 6-46, 6-96, 6-97, 6-130, 6-164, 6-301 of the Code of Ordinances. These amendments will remove the requirement of contractors to deposit and maintain an escrow account balance to utilize the permitting services of the City of Broken Arrow and repeal all ordinances to the contrary and declaring an emergency**

Mr. Rissler reported this also was previewed on March 5. He stated this removed the requirement for contractors to maintain an escrow account with the City of Broken Arrow. He noted this addressed Chapter 6 only. He stated this Ordinance was also tied to Item G which addressed Chapter 10.

Council Member Ford asked if an escrow account was no longer required, how were contractors being held accountable.

Mr. Rissler explained with the new software system, the data was maintained a little differently, and much more easily. He explained previously, if a contractor failed an inspection and there was a reinspection fee, the City wanted to be sure this was paid, so an escrow account was required. He explained now, the permit would not be issued if there were an outstanding fee. He stated the process was automated now. He stated Broken Arrow had small companies and contractors who did smaller projects in the City, and the City required these companies to put up a \$250 dollar escrow account to do these little jobs. He stated the Amendment did not take away the option to have an escrow account in place with the City as some of the larger vendors liked having an escrow account to cover fees; however, it would no longer be required.

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

Move to adopt Ordinance No. 3826

Aye: 4 - The motion carried by the following vote:
Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

D. 24-356 Consideration, discussion, and possible approval of an emergency clause for Ordinance 3826

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

Move for the emergency clause

The motion carried by the following vote:
Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

E. 24-395 Consideration, discussion, and possible adoption of Ordinance No. 3827, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1643, generally located north of the northwest corner of County Line (South 193rd East Avenue), and East Albany Street (East 61st Street), granting CG (Commercial General) zoning classification upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
Mr. Rissler reported this Ordinance was a zoning map update.

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

Move to adopt Ordinance No. 3827

The motion carried by the following vote:
Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

F. 24-396 Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3827

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

Move for the emergency clause

The motion carried by the following vote:
Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

G. 24-406 Consideration, discussion, and possible adoption of Ordinance No. 3829, An Ordinance of the City of Broken Arrow amending Chapter 10, Section 27. This amendment will remove the requirement of contractors to deposit and maintain an escrow account balance to utilize the permitting services of the City of Broken Arrow and repeal all ordinances to the contrary and declaring an emergency
Mr. Rissler reported this was to amend the Chapter 10 section of the escrow account requirement.

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

Move to adopt Ordinance No. 3829

The motion carried by the following vote:
Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

H. 24-408 Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3829

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

Move for the emergency clause

The motion carried by the following vote:
Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

12. Remarks and Inquiries by Governing Body Members

Council Member Ford stated she attended ShamRock the Rose this past weekend. She commended Mayor Wimpee for her work with Soldier's Wish. She stated ShamRock the Rose was a wonderful event.

Vice Mayor Gillespie agreed. She said it was the best ShamRock event she had ever been to. She stated the weather was wonderful and people were everywhere. She said her grandsons had a great time.

Council Member Green stated all five City Council Members attended the National League of Cities Congressional Cities conference in Washington D.C. He stated the conference was informative. He stated the Youth City Council also attended. He indicated the Youth City Council had the opportunity to take in some of the sights. He noted Council Member Parks provided an excellent tour of Arlington Cemetery.

Council Member Ford stated she enjoyed the trip to the Capital and was honored to meet President Biden.

Council Member Green noted the President addressed the whole Conference.

Council Member Parks stated this was a good Conference and it was wonderful President Biden addressed the conference. He noted the Youth City Council was present for the President’s address.

Vice Mayor Gillespie read the Second Amendment regarding the right of the people to bear arms.

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

City Manager Spurgeon reported Albany between Lynn Lane and County Line Road was being finished and the road would be reopened before Spring Break was over. He thanked Superintendent Perry for his cooperation and thanked the parents of students for their patience during this project. He reported Washington street was now open and two miles of Houston widening would begin soon. He stated the County Line road widening, and the new bridge construction was ongoing, and he received complaints about the temporary road; however, the City was working to ensure this road was passable and safe. He stated this project should be completed in a couple of months.

City Manager Spurgeon reported budget week was last week and budget sessions would begin in May. He commended Cindy Arnold and her team, and the Directors. He reported the week of April 22 would be a busy week for meetings related to the 2026 GO Bond Package. He stated he would be meeting with all City Directors, community groups, civic organizations, School District officials, Chamber and EDC officials, etc., and the consultant would also be present at all meetings, following which, creation of the project sheets and estimates would begin. He noted the City Council Members were welcome to attend these meetings.

City Manager Spurgeon indicated the results of the recent Citizen Survey would be presented to City Council next month. He reported Chuck Vokes retired at the beginning of January and it was determined the best person to fill Mr. Vokes’ vacated position was Tim Robins. He congratulated Mr. Robins.

At approximately 7:28 p.m. Vice Mayor Gillespie 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: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

At approximately 7:55 p.m. City Council reconvened.

Vice Mayor Gillespie read Consent Agenda Item L: “Approval of and authorization to execute Budget Amendment Number 25 for Fiscal Year 2024.”

There was no further discussion of this Item due to its subject matter being discussed during the BAEDA meeting.

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

Move to approve Consent Agenda Item L

The motion carried by the following vote:

Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

Vice Chair Gillespie called for a motion to clear the room for the Executive Session.

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

Move to clear the room for Executive Session

The motion carried by the following vote:

Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

At approximately 7:59 p.m. City Council entered into Executive Session.

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

Move to enter into Executive Session

The motion carried by the following vote:

Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

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 Robert & Holly Winford, Tort Claim No. TRT 1480.2024 and taking appropriate action in open session, if any, under 25 O.S. §307(B)(4);
- 2. Litigation, including potential resolution of claims, litigation and potential settlement of actions related to a Class Action lawsuit involving the contamination of water supplies by certain manufacturers through the use of PFAS (per- and polyfluoroalkyl substances) under 25 O.S. §307(B)(4);
- 3. A pending investigation and claim, including potential resolution, of a matter involving the tort claim of Pauline Muturi, et al., Tort Claim No. TRT 1483.2024 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 claims and litigation and disclosure will seriously impair the ability of the public body to process the proceedings 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 Lisa Ford, seconded by Johnnie Parks.
Move to find the Executive Session necessary

The motion carried by the following vote:
Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

MOTION: A motion was made by Lisa Ford, seconded by Johnnie Parks.
Move to deny the tort claim of Pauline Muturi

The motion carried by the following vote:
Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

MOTION: A motion was made by Lisa Ford, seconded by Johnnie Parks.
Move to deny the tort claim of Robert and Holly Winford

The motion carried by the following vote:
Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

City Council returned to open session at approximately 8:05 p.m.

15. Adjournment

The meeting was adjourned at approximately 8:07 p.m.

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

The motion carried by the following vote:
Aye: 4 - Justin Green, Lisa Ford, Johnnie Parks, Christi Gillespie

Mayor

City Clerk