



**City of Broken Arrow**  
**Meeting Agenda**  
**Broken Arrow City Council**

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

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**Tuesday, March 5, 2024**

**6:30 PM**

**Council Chambers**  
**220 South 1st Street**  
**Broken Arrow, OK**

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**AMENDED AGENDA**

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
  - A. [23-1570](#) Acknowledgement of upcoming out-of-state travel by City Council members
  - B. [24-70](#) Approval of the City Council Meeting Minutes of February 20, 2024
  - C. [24-297](#) Approval of a 2024 proposed legislative agenda for the City of Broken Arrow's priorities to present to Oklahoma members of Congress at National League of Cities Advocacy on Capitol Hill Day on March 13, 2024, in Washington, D.C.
  - D. [24-325](#) Approval of and authorization to execute a ratified collective bargaining agreement with the International Association of Firefighters (IAFF) Local No. 2551 for Fiscal Years 2023-2025
  - E. [24-314](#) 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
  - F. [24-293](#) Approval of and authorization to execute Third Amendment to Economic Development Agreement by and among Sunset at Broken Arrow, LLC, and the Broken Arrow Economic Development Authority and the City of Broken Arrow

- G. [24-344](#) Approval of and authorization to execute Resolution No. 1563, a Resolution of the Broken Arrow City Council accepting an assignment of a Purchase and Sale Contract between the Broken Arrow Economic Development Authority and Sunset at Broken Arrow, LLC, Approval and Authorization to accept a General Warranty Deed from the Broken Arrow Economic Development Authority, Approval and Authorization to execute a contract for sale of 15.01 Acres of Real Estate to Sunset at Broken Arrow, LLC described as Lot 1 Block 1, for the sum of \$577,314.62 with \$10,000 earnest money down, designating representatives of the City of Broken Arrow for purposes of granting certain approvals and executing certain instruments as required
- H. [24-300](#) Approval of and authorization to execute an amended Professional Transportation Services Contract with the Metropolitan Tulsa Transit Authority (Tulsa Transit) to provide public transportation services for the remainder of Fiscal Year 2023-24
- I. [24-307](#) Approval of and authorization to execute a Training Agreement between the City of Broken Arrow and Northeast Technology to provide training services for employees
- J. [24-309](#) Approval of and authorization to execute a Memorandum of Understanding between the City of Broken Arrow and Tulsa Technology Center to provide training services for employees
- K. [24-306](#) 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
- L. [24-248](#) Notification of appointees for the re-engaged New Orleans Square Advisory Committee
- M. [24-335](#) Approval of a modification to Section 4.1(n) of the Land Subdivision Code for Sunset Amphitheater, approximately 41.15 acres, A-1 (Agricultural), one-half mile north of New Orleans Street (101st Street), three-quarters of a mile west of Evans Road (225th East Avenue), east of the Creek Turnpike
- N. [24-330](#) Approval of BAZ-001240-2023 (Rezoning), Williams Rezoning, 9.64 acres, A-1 (Agricultural) to RS-3 (Single-Family Residential), located east of Elm PL (161st E. Ave), and south of Florence Street (111th Street)
- O. [24-310](#) Ratification of the Claims List Check Register Dated February 27, 2024

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

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

- A. [24-168](#) Presentation and annual programming update by the Broken Arrow Historical Society and Genealogy Society
- B. [24-323](#) Consideration, discussion, and possible action on an appeal for property owner Adam Makin at 204 W Pittsburg Pl, Broken Arrow, Oklahoma to allow a Short-Term Rental property to be licensed within the 300' radius of another established Short-Term Rental property

**8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services (No action may be taken on matters under this item)**

**9. General Council Business**

- A. [24-322](#) Consideration, discussion, and possible approval of and authorization to execute project financing, subcontracting and construction agreement between the City of Broken Arrow and the Indian Nations Council of Governments for the Safe Streets For All 2022 United States Department of Transportation Discretionary Grant Program and approve and authorize execution of Fiscal Year 2024 Budget Amendment Number 22
- B. [24-331](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1560, a Resolution of the Broken Arrow City Council for the purchase of 3.06 acres of real property located at 130 East Washington Street, Broken Arrow, Oklahoma in the amount of \$725,000.00, with the sum of \$36,250.00 in earnest money and approve and authorize execution of Fiscal Year 2024 Budget Amendment Number 23 and approve and authorize execution of a Purchase and Sales Contract
- C. [24-334](#) Consideration, discussion, and possible approval of PUD-001265-2024 (Planned Unit Development), and PR-000497-2023|PT-001276-2024, Conditional Final Plat, Sunset Amphitheater, 41.15 acres, 3 Lots, PUD-001265-2024/A-1, located one-half mile north of New Orleans Street (101st Street), three-quarters of a mile west of Evans Road (225th East Avenue), east of the Creek Turnpike

**10. Preview Ordinances**

- A. [24-285](#) Consideration, discussion, and possible preview of 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
- B. [24-328](#) Consideration, discussion, and possible preview of Ordinance No. 3825, an amendment adding to Broken Arrow Code of Ordinances Chapter 23, Article IV; Stopping, Standing, and Parking; Section 23-148 - Parking Prohibited overnight between the hours of Friday at Midnight to Saturday at Noon at 400 S. Main

**11. Ordinances - NONE**

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

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

**14. Executive Session for the purpose of confidential communications between the City Council, the City Manager, the City Attorney and any other pertinent staff members discussing, conferring on matters and possible action in open session pertaining to:**

**(1) A pending investigation and claim, including potential resolution, of a matter involving the tort claim of the Estate of Jason England, Tort Claim No. TRT 1473.2024 and taking appropriate action in open session, if any, under 25 O.S. §307(B)(4);**

**(2) A pending investigation and claim, including potential resolution, of a matter involving the tort claim of the Estate of Katherine England, et al., Tort Claim No. TRT 1475.2024 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.**

**15. Adjournment**

**NOTICE:**

If you wish to speak at this evening's meeting, please fill out a "Request to Speak" form. The forms are available from the City Clerk's table or at the entrance door. Please turn in your form prior to the start of the meeting. Topics are limited to items on the currently posted agenda, or relevant business.

All cell phones and pagers must be turned OFF or operated SILENTLY during meetings.

Exhibits, petitions, pictures, etc., shall be received and deposited in case files to be kept at the Broken Arrow City Hall. If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

21 O.S. Section 280 provides the following:

A. It is unlawful for any person, alone or in concert with others and without authorization, to willfully disturb, interfere or disrupt state business or the business of any political subdivision, which includes publicly posted meetings, or any agency operations or any employee, agent, official or representative of the state or political subdivision.

B. It is unlawful for any person who is without authority or who is causing any disturbance, interference or disruption to willfully refuse to disperse or leave any property, building or structure owned, leased or occupied by state officials or any political subdivision or its employees, agents or representatives or used in any manner to conduct state business or any political subdivision's business or operations after proper notice by a peace officer, sergeant-at-arms, or other security personnel.

C. Any violation of the provisions of this section shall be a misdemeanor punishable by imprisonment in the county jail for a term of not more than one (1) year, by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

D. For purposes of this section, "disturb, interfere or disrupt" means any conduct that is violent, threatening, abusive, obscene, or that jeopardizes the safety of self or others.

A paper copy of this agenda is available upon request.

POSTED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m.

\_\_\_\_\_  
City Clerk