

08/25/2017 3:42 pm

MICHAEL P. KIER
CITY CLERK

NOTICE AND AGENDA

TULSA CITY COUNCIL - REGULAR MEETING

6:00 PM, Wednesday, August 30, 2017

Council Chamber, 2nd Floor - 175 E. 2nd St., Tulsa, OK 74103

INTRODUCTION

PLEDGE OF ALLEGIANCE AND INVOCATION

PROCLAMATIONS AND SPECIAL ANNOUNCEMENTS

CALL TO ORDER & ROLL CALL

Unless otherwise noted, there will be no public comment/discussion of items in Section 6, "Ordinances - First Reading."

Council may discuss, review, and/or possibly take action on the following:

1. RECEIPT & FILING OF MINUTES

- a. Minutes of Regular Meeting held at 5:00 P.M. on August 9, 2017. [CC 8/30/17] 17-647-1
- b. Minutes of Regular Meeting held at 6:00 P.M. on August 9, 2017. [CC 8/30/17] 17-647-2
- c. Minutes of Special Meeting held at 1:00 P.M. on August 16, 2017. [CC 8/30/17] 17-647-3

2. APPOINTMENTS & REAPPOINTMENTS

- a. Margaret Love - Appointment to African American Affairs Commission; term expires May 1, 2020. (CD-1) [UED 8/9/17; CC 8/30/17] 17-602-1
- b. Rev. Weldon Tisdale, Sr. - Appointment to African American Affairs Commission; term expires May 1, 2020. (CD-1) [UED 8/9/17; CC 8/30/17] 17-601-1
- c. Ann Metcalf - Reappointment to the Metropolitan Tulsa Transit Authority (MTTA), term expires July 31, 2020; (Attended 100/114 meetings.) (CD-8) [UED 8/9/17; CC 8/30/17] 05-827-5
- d. Donnie House - Reappointment to Human Rights Commission; term expires July 2, 2020. (Attended 14/16 meetings.) (CD-8) [UED 8/9/17; CC 8/30/17] 13-65-2
- e. William Peacher - Reappointment to the Tulsa City-County Library Commission; term expires July 31, 2020. (Attended 34/40 meetings.) (CD-8) [UED 8/9/17; CC 8/30/17] 11-618-3
- f. Charles Blue - Reappointment to the Tulsa Public Facilities Authority; term expires July 31, 2020. (Attended 26/33 meetings.) (CD-4) [UED 8/9/17; CC 8/30/17] 06-1177-4
- g. Lawrence W. Findeiss - Reappointment to the Human Rights Commission; term expires July 1, 2020. (Attended 14/16 meetings.) (CD-8) [UED 8/9/17; CC 8/30/17] 14-645-2

3. PUBLIC HEARINGS

- a. No items this week. 04-387-1

4. MAYOR'S ITEMS

- a. Mayor's report on community events, briefing on City activities, City efforts, and new business. 97-631-3
- b. License agreement with Brent and Jennifer Suchy for installation of a retaining wall at 4205 E. 107th St. S. (CD-8) (Note: Engineering Services recommended **DENIAL** of the license agreement request.) [PW 7/12/17; CC 7/26/17] 17-525-2
- c. Resolution authorizing payment of twenty-five thousand dollars (\$25,000.00) from the sinking fund for judgment in Case No. CJ-2017-03121, Bill and Cindy Cupps v. City of Tulsa. [UED 8/30/17; CC 8/30/17] 17-650-1
- d. Right of Way Occupancy Permit for EsteNet Systems, Inc. allowing placing, owning, operating, or managing facilities in City of Tulsa rights of way throughout the City. [PW 8/9/17; CC 8/30/17] 17-603-1
- e. Renewal of loan agreement with Cherokee Nation Entertainment, LLC for printing press and rollers through July 3, 2022. [CC 8/30/17] 10-145-3
- f. Extension of loan agreement to May, 2018 with the National Cowgirl Museum and Hall of Fame for items from Gilcrease Museum to May, 2018. [CC 8/30/17] 16-427-2
- g. Loan agreement with the Palm Springs Art Museum for "Zuni, New Mexico" (Study No. 1) and "Zuni, New Mexico" (Study No. 2) by William R. Leigh. [CC 8/30/17] 17-669-1
- h. Donation of 4 peace medals from Dr. Duane King to Gilcrease Museum. [CC 8/30/17] 17-643-1
- i. Donation of sculpture by W. Richard West from Annette Adkins Trust to Gilcrease Museum. [CC 8/30/17] 17-644-1
- j. Donation of one thousand, three hundred and seventy dollars (\$1,370.00) from Special Olympics Oklahoma for Joshua Metcalf to attend Special Olympics Training event scheduled for September 21-23, 2017 in Nashville, TN. [CC 8/30/17] 17-670-1
- k. Donation valued at forty dollars (\$40.00) from Sam's Club (Sheridan Rd. location) for attendee meals at the 2017 Rural Grant Conference scheduled for August 24-25, 2017, at OSU Health Science Center. [CC 8/30/17] 17-623-1
- l. Donation valued at fifty dollars (\$50.00) from Sam's Club (S. Memorial location) for attendee meals at the 2017 Rural Grant Conference scheduled for August 24-25, 2017, at OSU Health Science Center. [CC 8/30/17] 17-624-1
- m. Donation valued at three hundred thirty-three dollars (\$333.00) from Kitchen Table Catering for attendee meals at the 2017 Rural Grant Conference scheduled for August 24-25, 2017, at OSU Health Science Center. [CC 8/30/17] 17-621-1

- n. Donation valued at three thousand and seven hundred fifty dollars (\$3,750.00) from McNellie's Group for attendee meals at the 2017 Rural Grant Conference scheduled for August 24-25, 2017, at OSU Health Science Center. [CC 8/30/17] 17-622-1
- o. Donation of rock bench valued at five hundred and fifty dollars (\$550.00) from Municipal Court employees to be installed at Page Belcher golf course in honor of Judge Burk Bishop. [CC 8/30/17] 17-653-1
- p. Donation of sign valued at five hundred dollars (\$500.00) from Southside Rotary Club to be installed at Benjamin's Biscuit Acres at Hunter Park. [CC 8/30/17] 17-654-1
- q. Donation of one thousand, four hundred and thirty-eight dollars and nineteen cents, (\$1,438.19) from Major Cities Chiefs Association for Deputy Chief Eric Dalgleish to participate in the Police Executive Leadership Institute Mentor Program scheduled for September 18-22, 2017, in Chicago, IL. [CC 8/30/17] 17-655-1
- r. Donation of one thousand, three hundred and eighty-seven dollars and eighty-two cents, (\$1,387.82) from Major Cities Chiefs Association for Chief Chuck Jordan to participate in the Police Executive Leadership Institute Mentor Program scheduled for September 18-22, 2017, in Chicago, IL. [CC 8/30/17] 17-656-1
- s. Donation of sixteen thousand, nine hundred and ten dollars (\$16,910.00) from the Harold and Edna White Foundation for benefit of the Azalea Garden in Woodward Park. [CC 8/30/17] 17-657-1
- t. Special Event Application: Tulsa Roughnecks games scheduled for September 2017, at ONEOK Field, 201 N. Elgin Ave. (CD-4) [CC 7/26/17] 17-204-7
- u. Special Event Application: Fleet Feet Quarter Marathon scheduled for September 16, 2017 at E. 2nd St. and S. Frankfort Ave. (CD-4) [CC 8/30/17] 17-660-1
- v. Special Event Application: Festival Sunday scheduled for September 9, 2017 on S. Boston Ave. between E. 7th St. and E. 8th St. (CD-4) [CC 8/30/17] 13-635-5
- w. Special Event Application: Brookside Block Party at the Ballet scheduled for September 21, 2017 at 1212 E. 45th Pl. (CD-9) [CC 8/30/17] 17-661-5
- x. Special Event Application: Harvest Beer Festival scheduled for September 30, 2017 on E. 1st St. between S. Elgin Ave. and S. Greenwood Ave. (CD-4) [CC 8/30/17] 16-728-2
- y. Special Event Application: BOK Center Events scheduled for September 2017, at the BOK Center. (CD-4) [CC 8/30/17] 16-984-9
- za. Special Event Application: ScotFest scheduled for September 15-16, 2017, at 2100 S. Jackson. (CD-2) [CC 8/30/17] 15-934-3
- zb. Special Event Application: Low-Rider Show and Picnic scheduled for September 1, 2017, at Philbrook Museum of Art, 2727 S. Rockford Rd. (CD-4) [CC 8/30/17] 17-663-4

- zc. Special Event Application: Tulsa's Great Raft Race scheduled for September 4, 2017 from Sand Springs, OK to 2100 S. Jackson Ave. (CD-2) [CC 8/30/17] 15-860-3
- zd. Special Event Application: Sickle Cell 5K Walk, Run or Jog for a Cure scheduled for September 9, 2017, from 1414 N. Greenwood Ave. to E. Archer St. and N. Elgin Ave. (CD-1, 4) [CC 8/30/17] 15-841-2
- ze. Special Event Application: JDRF Tulsa One Walk To Cure Diabetes scheduled for September 16, 2017 from Guthrie Green, 111 E. Brady St. to N. Greenwood Ave. and E. Marshall St. (CD-1, 4) [CC 8/30/17] 13-781-4
- zf. Special Event Application: WestFest scheduled for September 16, 2017, at Penny Park, 531 S. 49th W. Ave. (CD-1) [CC 8/30/17] 17-664-1
- zg. Special Event Application: Zach Monghan Memorial 5K scheduled for September 17, 2017, at Union High School, 6636 S. Mingo Rd. (CD-7) [CC 8/30/17] 16-640-2
- zh. Special Event Application: Cherry Street Farmers' Market scheduled for all Saturdays in September 2017, on E. 15th St. between S. Quaker Ave. and S. Rockford Ave. (CD-4) [CC 8/30/17] 17-231-6
- zi. Special Event Application: Gold4Kids Walk and Run scheduled for September 9, 2017 at 2100 S. Jackson Ave. (CD-2) [CC 8/30/17] 17-666-1
- zj. Special Event Application: Guthrie Green Events scheduled for September 2017, at Guthrie Green, 111 East M.B. Brady Street. (CD-4) [CC 8/30/17] 17-36-9
- zk. Special Event Application: Frances Willard Home Centennial Celebration scheduled for September 9, 2017 at 1616 N. Gilcrease Museum Rd. (CD-1) [CC 8/30/17] 17-671-1
- zl. Special Event Application: University of Tulsa Football games scheduled during September 2017 at University of Tulsa H. A. Chapman Field. (CD-4) [CC 8/30/17] 17-662-1
- zm. Special Event Application: Night Light Tulsa scheduled for all Thursdays in September 2017, at N. Maybelle Ave. and West M.B. Brady St. (CD-4) [CC 8/30/17] 16-983-9
- zn. Special Event Application: Symphony in the Park Firework Show scheduled for September 1, 2017 at E. Archer St. and MLK Memorial Overpass. (CD-4) [CC 8/30/17] 12-656-5
- zo. Special Event Application: Stand Down For Veterans scheduled for September 16, 2017, at First United Methodist Church, 11th and Main. (CD-4) [CC 8/30/17] 13-369-5
- zp. Special Event Application: Run to the SON scheduled for September 4, 2017 at Parkview Baptist Church, 5805 S. Sheridan Rd. (CD-7) [CC 8/30/17] 12-642-6
- zq. Special Event Application: The Max Retro Pub's Birthday Street Bash scheduled for September 15-16, 2017 on S. Elgin Ave. between E. 1st St. and E. 2nd St. (CD-4) [CC 8/30/17] 14-768-3

5. AUTHORITIES, BOARDS & COMMISSIONS

- a. Approval of Emergency Medical Services Authority (EMSA) proposed increase in ambulance rates. (Lakin) [UED 8/30/17] 17-618-1-2
- b. Resolution No. 2752:974 of the Tulsa Metropolitan Area Planning Commission, pursuant to Title 19 Oklahoma Statutes, Section 863.7; amending the Tulsa Comprehensive Plan (CPA-54) by adopting the GO Plan/Bicycle and Pedestrian Master Plan. (NOTE: In accordance with Title 19 Oklahoma Statutes, Section 863.7, the City Council must act on this item within 45 days of receipt. If no action is taken, the amendment will be officially approved.) (Received by Council on August 23, 2017.) (The last day for Council action is October 7, 2017.) (CD-3) [UED 8/30/17; CC 8/30/17] 17-658-1
- c. Rezoning Application Z-7381 requested by Lou Reynolds, Eller & Detrich for property located west of the SW/C of E. 37th Pl. S. and S. Peoria Ave. from RS-3 to OL with optional development plan. (Property Owner: Allen HW Co.) (TMAPC voted 7-0-0 to recommend APPROVAL of OL zoning with optional development plan.) (CD-9) [UED 5/10/2017; CC 5/24/17; CC 8/30/17; CC 9/13/17] 17-342-1
- d. Rezoning Application Z-7386 for property located 5154 E. Skelly Drive South from CG to CH with optional development plan requested by Stuart Van De Wiele. (Property owner: Favestments, LLC) (TMAPC voted 8-0-0 to recommend **APPROVAL** of CH zoning with optional development plan.) (CD-5) [UED 8/2/17; CC 8/9/17; CC 8/30/17; CC 9/13/17] 17-390-3

6. ORDINANCES - FIRST READING

- a. Ordinance amending the fiscal year 2017-18 budget to make supplemental appropriations of one hundred seven thousand, nine hundred and ninety two dollars and forty cents (\$107,992.40) from revenues received within the Non-grant Miscellaneous Special Revenue Fund. [PW 8/30/17; CC 8/30/17; CC 9/13/17] 17-616-1
- b. Ordinance amending the fiscal year 2017-18 budget to make supplemental appropriations of sixteen thousand, three hundred and twenty-five dollars and ninety-eight cents (\$16,325.98) from the Oklahoma Office of Homeland Security to be received within the Department of Homeland Security -Miscellaneous Grants Fund. [PW 8/30/17; CC 8/30/17; CC 9/13/17] 17-632-1
- c. Ordinance amending the fiscal year 2017-18 budget to reduce appropriations of forty-one thousand, six hundred and sixty-eight dollars (\$41,668.00) originally from revenues received within the Non-grant Miscellaneous Special Revenue Fund. [PW 8/30/17; CC 8/30/17; CC 9/13/17] 17-633-1
- d. Ordinance amending the fiscal year 2017-18 budget to make supplemental appropriations of two hundred and eight thousand dollars (\$208,000.00) from recognizing un-appropriated fund balance within the Short Term Capital Fund. [PW 8/30/17; CC 8/30/17; CC 9/13/17] 17-635-1
- e. Ordinance amending the fiscal year 2017-18 budget to transfer unencumbered and unexpended appropriation balances of one hundred forty-five thousand dollars (\$145,000.00) between account groups within the General Fund. [PW 8/30/17; CC 8/30/17; CC 9/13/17] 17-634-1

- f. Ordinance amending the fiscal year 2017-18 budget to transfer unencumbered and unexpended appropriation balances of fourteen million, two hundred and eighty-five thousand dollars (\$14,285,000.00) between project centers and accounts within the 2014 sales tax fund. [PW 8/30/17; CC 8/30/17; CC 9/13/17] 17-636-1
- g. Ordinance amending the fiscal year 2017-18 budget to make supplemental appropriations of twenty-one million, seven hundred and twenty-five dollars (\$21,725,000.00) from a transfer to be received from the TMUA-Sewer Operating Fund within the 2017 OWRB loan fund. [PW 8/30/17; CC 8/30/17; CC 9/13/17] 17-637-1
- h. Ordinance amending the fiscal year 2017-18 budget to make supplemental appropriations of twenty-one million, seven hundred and twenty-five dollars (\$21,725,000.00) from revenue bond proceeds to be received within the TMUA Sewer Operating Fund, with said appropriations to then be transferred to the 2017 OWRB Loan fund. [PW 8/30/17; CC 8/30/17; CC 9/13/17] 17-638-1
- i. Ordinance amending the fiscal year 2017-18 budget to make supplemental appropriations of thirteen thousand, one hundred and fifty-five dollars and eighty-four cents (\$13,155.84) from recognizing unappropriated fund balance within the General Fund. [PW 8/30/17; CC 8/30/17; CC 9/13/17] 17-639-1
- j. Ordinance amending the fiscal year 2017-18 budget to make supplemental appropriations of thirteen thousand, one hundred and fifty-five dollars and eighty-four cents (\$13,155.84) from recognizing unappropriated fund balance within the Stormwater Management Enterprise Fund. [PW 8/30/17; CC 8/30/17; CC 9/13/17] 17-640-1
- k. Ordinance amending the fiscal year 2017-18 budget to make supplemental appropriations of forty-four thousand, two hundred and fifty-two dollars and sixteen cents (\$44,252.16) from recognizing unappropriated fund balance within the TMUA-Water Operating Fund. [PW 8/30/17; CC 8/30/17; CC 9/13/17] 17-641-1
- l. Ordinance amending the fiscal year 2017-18 budget to make supplemental appropriations of fourteen thousand, two hundred and fifty-two dollars and sixteen cents (\$14,252.16) from recognizing unappropriated fund balance within the TMUA-Sewer Operating Fund. [PW 8/30/17; CC 8/30/17; CC 9/13/17] 17-642-1
- m. Ordinance amending Title 27, Chapter 22, Section 2208, Tulsa Revised Ordinances, concerning the use of tobacco and vapor products on all city property except streets and sidewalks, setting out definitions, and establishing penalties and enforcement. [UED 8/30/17; CC 8/30/17; CC 9/13/17] 17-620-1
- n. An ordinance amending Title 36, Tulsa Revised Ordinances, Taxicabs, Paratransit Vehicles, and Utility Vehicles for Hire, Chapter 1, entitled "Taxicab, Paratransit Vehicle and Utility Vehicle For Hire Regulations"; amending Section 101 entitled "Definitions" to include an antique, classic or special interest vehicle for hire as another category considered to be paratransit vehicles and regulated as paratransit vehicles and not as taxicabs; amending Section 136 to exempt antique, classic and special interest vehicles for hire from age limitations imposed on other vehicles regulated by this ordinance. (Ewing) [UED 8/30/17; CC 8/30/17; CC 9/13/17] 17-626-1

- o. Ordinance accepting and approving the terms and conditions of the Trust Indenture creating the Tulsa International Airport Development Trust and authorizing the acceptance of the beneficial interest in the Trust by the execution of the Trust Indenture. **(Emergency Clause)** [UED 8/30/17; CC 8/30/17; CC 9/13/17] 17-651-1
- p. Ordinance amending Rezoning Ordinance 23750 (Rezoning case Z-7397), for property located at the NW/c of W. 91st St. S. and S. Elwood Ave. from AG/IL to CG with optional development plan, correcting an omission in Ordinance 23750 as approved by Council on August 2, 2017. **(Waiver of Charter provisions and Council Rules and passage on first reading requested) (Emergency Clause)** (CD-2) [UED 8/30/17; CC 8/30/17; CC 9/13/17] 17-537-3

7. ORDINANCES - SECOND READING

- a. Ordinance amending the fiscal year 2017-18 Budget to make supplemental appropriations of thirty-four thousand, forty-nine dollars and nine cents (\$34,049.09) from U. S. Army Corps of Engineers to be received within the 2001 Five Year Sales Tax Fund. [UED 8/9/17; CC 8/9/17; CC 8/30/17] 17-604-1
- b. Ordinance declaring a 180-day moratorium on the acceptance of applications for, processing of and issuance of building permits or certificates of occupancy that would allow construction on, or use of, property for certain retail sales of convenience goods or consumer shopping goods, herein described as a “small box discount store”, initiating an amendment of the Tulsa Zoning Code to provide for appropriate dispersal of small box discount stores; providing an appeal process; providing effective and repeal dates; providing severability. **(Emergency Clause)** (Hall-Harper) [UED 8/2/17; CC 8/2/17; CC 8/9/17] 17-596-6

8. COUNCIL ITEMS

- a. Council Chair’s report on community events, briefing on Council activities, Council efforts, and new business. 16-722-1
- b. Resolution supporting the participation of Route 66 Main Street, Inc., in the 2017-2018 Oklahoma Main Street Center using the Main Street 4-Point Approach to economic development. (Cue, Dodson) [UED 8/30/17; CC 8/30/17] 16-453-2
- c. Resolution supporting the participation of Kendall-Whittier Main Street, Inc., in the 2017-2018 Oklahoma Main Street Center using the Main Street 4-Point Approach to economic development. (Ewing) [UED 8/30/17; CC 8/30/17] 15-622-3
- d. Council initiation of a voluntary opt-in Mixed-use (MX) rezoning program along the Peoria Avenue Bus Rapid Transit (BRT) route available to owners of properties located within ½ mile radius of identified enhanced BRT stations and recommended for Mixed-use (MX) zoning in the Peoria Avenue Land Use BRT Framework.(Kimbrow) [CC 8/30/17] 17-672-2

9. NEW BUSINESS

- a. New Business. 02-268

10. HEARING OF APPEALS

- a. No items this week. 04-387-1

11. HEARING OF PUBLIC COMMENTS

- a. No items this week. 04-387-1

12. ADJOURNMENT

- a. Adjournment. 97-399-1