

09/08/2017 3:00 pm

MICHAEL P. KIER
CITY CLERK

NOTICE AND AGENDA

TULSA CITY COUNCIL - REGULAR MEETING

6:00 PM, Wednesday, September 13, 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 30, 2017. [CC 9/13/17] 17-678-1
- b. Minutes of Regular Meeting held at 6:00 P.M. on August 30, 2017. [CC 9/13/17] 17-678-2

2. APPOINTMENTS & REAPPOINTMENTS

- a. Janet Levit - Appointment to the Mayor's Commission on the Status of Women replacing Melissa Basse; term expires May 31, 2019. [UED 8/30/17; CC 9/13/17] 17-630-1
- b. Stacy White - Appointment to the Infrastructure Development Advisory Board as Consulting Engineer #2 replacing Raymond Miller; term expires September 30, 2018. [UED 8/30/17; CC 9/13/17] 17-631-1
- c. Thomas Boxley - Appointment to Tulsa Development Authority replacing Julius Pegues; term expires July 31, 2020. [UED 8/30/17; CC 9/13/17] 17-645-1
- d. Marcia MacLeod - Reappointment to the Tulsa Public Facilities Authority; term expires July 31, 2020. (Attended 22/33 meetings.) (CD-9) [UED 8/30/17; CC 9/13/17] 07-269-4
- e. Joseph R. Schulte - Reappointment to the Metropolitan Tulsa Transit Authority; term expires July 21, 2020. (Attended 57/63 meetings.) (CD-2) [UED 8/9/17; UED 8/30/17; CC 9/13/17] 14-623-2
- f. Roy Peters, Jr. - Reappointment to the Tulsa Development Authority; term expires July 31, 2020. (Attended 11/12 meetings.) (CD-2) [UED 8/30/17; CC 9/13/17] 08-2051-4
- g. Phil Lakin - Reappointment to the Emergency Medical Services Authority; term expires June 30, 2020. (Attended 21/30 meetings.) (CD-8) [UED 8/30/17; CC 9/13/17] 12-323-3

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 declaring property located at 2105 S. 106th E. Ave. as surplus, and directing the Director of Asset Management or his designee to offer said property for sale at fair market value. (CD-6) [UED 8/30/17; UED 9/13/17; CC 9/13/17] 17-648-1
- d. Change Order No. 2 to Contract No. 32561 with Magnum Construction, Inc. for Lacy Park Master Plan Phase 1 project, adding twenty-seven thousand, seven-hundred and twenty-three dollars and twenty cents (\$27,723.20) and a sixty (60) calendar day extension to the contract. (CD-1)
[PW 8/30/17; CC 9/13/17] 17-615-1
- e. Change Order No. 1 to contract with Paragon Contractors, LLC for Arterial Street Rehab project (N. 129th E. Ave. - Admiral Pl. to Pine St.) adding 10 calendar days and no dollars to the contract.
[PW 8/30/17; CC 9/13/17] 17-649-1
- f. Donation of Southwestern jewelry from Laurene J. Thompson to Gilcrease Museum. [CC 9/13/17]
17-684-1
- g. Donation of five (5) Crow artifacts from Gary McKean to Gilcrease Museum. [CC 9/13/17] 17-677-1
- h. Donation of sidewalk easement located at 1101 N. Peoria Ave. by Ken and Pamela Duckworth for Project 144107, non-arterial street rehab. [PW 8/30/17; CC 9/13/17] 17-614-1
- i. Special Event Application: Kendall Whittier Mercado scheduled for all Saturdays in September 2017, at E. Admiral Ave. and S. Lewis Ave. (CD-4) [CC 9/13/17] 17-227-5
- j. Special Event Application: Kendall Whittier After Five scheduled for September 14, 2017, at E. Admiral Blvd. and S. Lewis Ave. (CD-4) [CC 9/13/17] 17-346-4
- k. Special Event Application: FlightNight Air Show scheduled for September 14, 2017, at Jones Riverside Airport. (CD-2) [CC 9/13/17] 17-769-1
- l. Special Event Application: Neighborhood BBQ Bash scheduled for September 23, 2017, at E. 11th St. and S. Toledo Ave. (CD-4) [CC 9/13/17] 17-680-1
- m. Special Event Application: Tulsa CROP Hunger Walk scheduled for September 24, 2017, in downtown Tulsa. (CD-4) [CC 9/13/17] 11-691-6
- n. Special Event Application: Harley-Davidson Dealer Demo Truck event scheduled for September 16, 2017 at Myers-Duren Harley Davidson, 4848 S. Peoria Ave. (CD-9) [CC 9/13/17] 16-360-4

- o. Special Event Application: St. Jude Walk/Run scheduled for September 16, 2017, at ONEOK Field. (CD-4) [CC 9/13/17] 17-681-1
- p. Special Event Application: Tulsa Drillers playoff games and fireworks shows scheduled for September 2017, at ONEOK Field, 201 N. Elgin Ave. [CC 9/13/17] 17-682-1

5. AUTHORITIES, BOARDS & COMMISSIONS

- a. Sales Tax Overview Committee Status Report - September, 2017. [CC 9/13/17] 16-1051-9
- b. Rezoning Application Z-7392 for property located west of the NW/c of E. 41st St. and S. 161st E. Ave. from AG/RM-0 to RS-3 requested by Mark Capron/Sizemore Weisz & Assoc. (Property owner: Independent School District No. 3) (TMAPC voted 8-0-0 to recommend **APPROVAL** of RS-3 zoning.) (CD-6) [UED 8/30/17; CC 9/13/17; CC 9/20/17] 17-430-1
- c. Rezoning Application PUD-221-I requested by Brooks Pittman for property located at the SW/c of E. 41st St. S. and S. 134th East Ave. from RS-3/RD/PUD-221-F to RS-3/RD/PUD-221-I (Major Amendment). (Property owner: Battle Creek Land Development Inc.) (TMAPC voted 8-0-0 to recommend **APPROVAL** of PUD-221-I.) (CD-6) [UED 8/30/17; CC 9/13/17; CC 9/20/17] 17-619-1
- 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; CC 9/20/17] 17-390-3
- e. Approval of Emergency Medical Services Authority (EMSA) proposed increase in ambulance rates. (Lakin) [CC 8/30/17; CC 9/13/17] 17-618-2

6. ORDINANCES - FIRST READING

- a. Ordinance amending the fiscal year 2016-17 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; UED 9/13/17; CC 9/13/17; CC 9/20/17] 17-634-2
- b. Ordinance amending Title 37 Tulsa Revised Ordinances, "Tulsa Revised Traffic Code," Chapter 10, "Bicycles", to add Section 1016 titled "Bicycle Lanes"; and amending Chapter 1, "Words and Phrases", Section 100 titled "Words and Phrases Defined" to add "Bicycle Lane." [UED 9/13/17; CC 9/13/17; CC 9/20/17] 17-673-1
- c. Ordinance closing a section of a sanitary sewer easement located at 40 N. 129th E. Ave. requested by Kevin Coutant. (CD-3) [PW 9/13/17; CC 9/13/17; CC 9/20/17] 17-685-1

- d. **AMENDED LANGUAGE:** Ordinance declaring a 180-day moratorium on the acceptance of applications for, processing of, and issuance of building permits 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”, on properties within a specified distance of one another, and located in the geographic area of the 36th Street Small Area Plan, the Crutchfield Neighborhood Revitalization Master Plan, or the Greenwood Heritage Neighborhoods Sector Plan (also known as the “Unity Heritage Neighborhoods Plan”); providing an appeal process; providing effective and repeal dates; providing severability. **(Emergency Clause)** (Hall-Harper) [UED 8/2/17; UED 9/13/17; CC 8/2/17; CC 8/9/17; CC 8/16/17; CC 9/13/17; CC 9/20/17] 17-596-10

7. **ORDINANCES - SECOND 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 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
- f. 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
- 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 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

- 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 Stormwater Management Enterprise Fund.
[PW 8/30/17; CC 8/30/17; CC 9/13/17] 17-640-1
- j. 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
- k. 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
- l. 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
- m. 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
- n. Rezoning Ordinance 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 5/10/17; CC 5/24/17; CC 8/30/17; CC 9/13/17] 17-342-2
- 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

8. COUNCIL ITEMS

- a. Council Chair's report on community events, briefing on Council activities, Council efforts, and new business. 16-722-1

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