

**NOTICE AND AGENDA**

**TULSA CITY COUNCIL - REGULAR MEETING**

**6:00 PM, Thursday, September 13, 2012**

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

11:57 AM  
2012 SEP 11 PM 3:26  
CITY CLERK

**INTRODUCTION**

**PLEDGE OF ALLEGIANCE AND PRAYER**

**PROCLAMATION AND SPECIAL ANNOUNCEMENTS**

**CALL TO ORDER & ROLL CALL**

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

**1. RECEIPT & FILING OF MINUTES**

- a. No items this week. 04-387

**2. APPOINTMENTS & REAPPOINTMENTS**

- a. Paul C. White - Appointment to the Tulsa Authority for the Recovery of Energy (TARE); term expires 7/31/2015; replacing Steve Berlin. (CD-9) [PW 8/30/12; CC 9/13/12] 12-651-1
- b. Dr. George Erbacher - Appointment to the Oklahoma State University Medical Trust Authority, term expires 1/8/2015; replacing Robert Charles Poe. (CD-2) [PW 8/30/12; CC 9/13/12] 12-660-1
- c. Alicia Latimer - Appointment to the Mayor's Commission on the Status of Women, term expires 5/31/2015; replacing Caitlin Huggins. (CD-1) [PW 8/30/12; CC 9/13/12] 12-661-1
- d. Jennifer Lee Helmerich - Appointment to the Tulsa Performing Arts Center Trust; term expires 6/30/2015; replacing Peggy Helmerich. (CD-9) [PW 8/30/12; CC 9/13/12] 12-662-1
- e. Rodger Randle - Appointment to the Tulsa Performing Arts Center Trust; term expires 6/30/2015; replacing Nancy Meinig. (CD-4) [PW 8/30/12; CC 9/13/12] 12-658-1
- f. Teresa Valero - Reappointment to the Tulsa Performing Arts Center Trust; term expires 6/30/2015; (14/14 meetings). [PW 8/30/12; CC 9/13/12] 04-61-5

**3. MAYOR'S ITEMS**

- a. Mayor's report on community events, briefing on City activities, City efforts and new business. 97-631  
-3
- b. Deed of dedication for property located at 474 S. 25th W. Ave. from Robert and Margaret Stover for Project No. 104268: Non-Arterial Street Rehab, South 25th W. Ave. (CD-2) [PW 8/30/12] 12-637-1
- c. Donation of Iams dog food from Proctor and Gamble to Animal Welfare. 12-677-1

- d. Special Event Application: 15th Annual Art of BBQ to be held at Blue Dome District on September 21-22, 2012. (CD-4) 06-1029-3
- e. Special Event Application: Brush Creek Bazaar to be held at 10900 South Louisville Avenue on September 21-23, 2012. (CD-8) 12-644-1
- f. Special Event Application: Tulsa Central High Homecoming Parade to be held at Tulsa Central High School/Gilcrease Shopping Ctr on September 25, 2012. (CD-1) 09-763-4
- g. Special Event Application: Tulsa Greek Festival to be held at 1206 S. Guthrie on September 20-22, 2012. (CD-4) 11-629-2
- h. Special Event Application: Harvest Beer Festival to be held at 100 South Elgin Avenue- Blue Dome District on September 22, 2012. (CD-4) 10-598-3
- i. Special Event Application: McLain High School Homecoming Parade to be held at 4600-5000 N. Peoria Ave. on September 21, 2012. (CD-1) 09-764-3
- j. Special Event Application: University of Tulsa Football to be held at University of Tulsa- H.A. Chapman Stadium on September 1-30, 2012. (CD-4) 12-687-1
- k. Special Event Application: Fassler Hall Oktoberfest to be held at Elgin Avenue between 3rd and 4th Street on October 5-6, 2012. (CD-4) 07-867-6
- l. Special Event Application: Level 3 Communications Car Wash to be held at 2nd Street between Cincinnati and Detroit Ave on September 14, 2012. (CD-4) 12-685-1
- m. Special Event Application: Tulsa Opera Student Matinee School Bus Parking to be held at Tulsa Performing Arts Center on October 16, 2012. (CD-4) 10-256-4

#### **4. AUTHORITIES, BOARDS & COMMISSIONS**

- a. Sales Tax Overview Committee Status Report for July 2012. 12-146-7
- b. Final Plat: Triple S Addition located at the SE/c of N. Lewis Ave. and E. Pine St. (CD-3) 12-686-1

#### **5. PUBLIC HEARINGS**

- a. No items this week. 04-387

#### **6. ORDINANCES - FIRST READING**

- a. Ordinance amending Title 24, Tulsa Revised Ordinances, titled "Nuisance Classified", Chapter 1, Section 103, entitled "Nuisances Affecting Peace and Safety," by amending Subsection "N" thereof prohibiting the repeated use of real property or structure thereon to commit felony violations of the Oklahoma Uniform Controlled Dangerous Substances Act by requiring such felony violation to have resulted in a felony conviction in order to constitute a public nuisance and repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause. **(Emergency Clause)** [UED 9/13/12] 12-670-1

- b. Budget amendment ordinance making supplemental appropriations of \$500,541.18 from revenues received from the sale of the Center Office Building within the General Fund, Fund No. 1080, to be transferred to the OTC Operating Fund, Fund No. 3450, for outstanding debt service of the OTC Building. [UED 9/13/12] 12-672-1
- c. Budget amendment ordinance making supplemental appropriations of \$36,435.58 from revenues received from the sale of the Center Office Building within the Sewer Operating Fund, Fund No. 7030, to be transferred to the OTC Operating Fund, Fund No. 3450, for outstanding debt service of the OTC building. [UED 9/13/12] 12-673-1
- d. Budget amendment ordinance making supplemental appropriations of \$13,140.70 from revenues received from the sale of the Center Office Building within the Stormwater Management Fund, Fund No. 7010, to be transferred to the OTC Operating Fund, Fund No. 3450, for outstanding debt service of the OTC building. [UED 9/13/12] 12-674-1
- e. Budget amendment ordinance making supplemental appropriations of \$47,187.06 from revenues received from the sale of the Center Office Building within the Water Operating Fund, Fund No. 7020, to be transferred to the OTC Operating Fund, Fund No. 3450, for outstanding debt service of the OTC building. [UED 9/13/12] 12-675-1
- f. Budget amendment ordinance making supplemental appropriations of \$691,847.34 from program income within the Community Development Block Grant Fund, Fund No. 5535, to appropriate an additional \$408,152.66 to Tulsa Children Coalition - Rosa Parks Early Childhood Expansion. [UED 9/13/12] 12-694-1 (**Possible action may be taken**)
- g. Budget amendment ordinance transferring unencumbered and unexpended appropriation balances of \$1,748,315.09 of unexpended grant allocations between account groups, projects and departments within the Community Development Block Grant Fund, Fund No. 5535, for the expansion of Rosa Parks Early Childhood Education Center. [UED 9/13/12] 12-694-2 (**Possible action may be taken**)
- h. Ordinance closing a utility easement located at or near 1215 E. 33rd St., requested by Tom A. Haynes. (CD-9) [PW 9/13/12] 12-667-1
- i. Application to close an alleyway located between N. Main St. and N. Boulder Ave. and W. Brady St. and W. Archer St., requested by Interak Corporation. (CD-4) [PW 9/13/12] 12-669-1 (**Council to set public hearing for October 4, 2012**)

## **7. ORDINANCES - SECOND READING**

- a. Budget amendment ordinance making supplemental appropriations of \$144,076 from fund balance within the General Fund, Fund No. 1080, for travel accounts for learning, training, continuing education and conferences. [UED 8/16/12] 12-628-1
- b. Budget amendment ordinance making supplemental appropriations of \$231,520 from the Department of Justice to be received within the Miscellaneous Police Grant Fund, Fund No. 5312, for the DNA Backlog Reduction Grant. [UED 8/30/12] 12-639-1

- c. Budget amendment ordinance making supplemental appropriations of \$8,562 from interest revenues within the FY10 Justice Assistance Grant (JAG) Fund, Fund No. 5669, to purchase 9 tasers, holsters and cartridges. [UED 8/30/12] 12-640-1
- d. Budget amendment ordinance making supplemental appropriations of \$500,000 from program income within the Community Development Block Grant Fund, Fund No. 5535, for Tulsa Economic Development Corporation. [UED 8/30/12] 12-647-1
- e. Budget amendment ordinance transferring unencumbered and unexpended appropriation balances of \$500,000 between projects within the Home Investment Partnership Grant Fund, Fund No. 5521, to move funds allocated to the WIN Department to contingency to be available for award to an outside agency. [UED 8/30/12] 12-648-1
- f. Budget amendment ordinance making supplemental appropriations of \$750,000 from revolving loan program income within the Revolving Residential Rehab Loan Grant Fund, Fund No. 5598, changing the source of funding for the WIN Rehabilitation Loan program from Home funds to Revolving Residential Rehabilitation Loan Program Income. [UED 8/30/12] 12-649-1
- g. Rezoning Ordinance Z-7206, requested by Robert Winchester, for property located south of the SW/c of E. 31st St. and S. Louisville Ave. from RS-3/OL to OL/CS. (Property Owner: Robert Winchester and Mike and Jennie Hightower) (TMAPC voted 10-0-0 to recommend approval of OL zoning for southern portion of the tract and CS zoning for the northern portion of the tract. [UED 8/16/12; PH 8/30/12] 12-623-2

## **8. COUNCIL ITEMS**

- a. Donation of fountain located at the Tulsa Zoo from Sister City, San Luis Potosi, discussion including but not limited to funding and acceptance of donation. (Patrick) 12-693-1
- b. Chairman's report on community events, briefing on Council activities, Council efforts and new business. 98-849-2

## **9. NEW BUSINESS**

- a. New Business. 02-268

## **10. HEARING OF APPEALS**

- a. Appeal of Nuisance Abatement Case No. 705931 on property located at 252 E. Ute Pl., filed by Deborah Simpson. 12-690-1
- b. Appeal of Demolition Case No. 90063 filed by Jim Ontiveros, Restaurants, Inc. for property located at 539 S. Pittsburg Ave. 12-645-1

## **11. HEARING OF PUBLIC COMMENTS**

- a. Public comment regarding rescinding support of Marketplace Equity Act. 12-688-1
- b. Public comment regarding water vs. trash payments. 12-689-1
- c. Public comment regarding bulldozing house without notice. 12-692-1

**12. ADJOURNMENT**

- a. Adjournment

**ADDENDUM TO AGENDA**  
**TULSA CITY COUNCIL - REGULAR MEETING**

**6:00 PM, Thursday, September 13, 2012**

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FILED  
CITY OF TULSA  
STATE OF OKLAHOMA

2012 SEP 12 P 3:09

MICHAEL P. KIER  
CITY CLERK

**3. MAYOR'S ITEMS**

- n. Resolution authorizing investment in a judgment, to be levied against and paid from monies in the sinking fund for Case No. CJ-09-4307: John and Naomi Wilkerson, \$145,000. **(Emergency Clause)** [PW 9/13/12] 12-696-1

**6. ORDINANCES - FIRST READING**

- f. **Wording Change:** Budget amendment ordinance making supplemental appropriations of \$691,847.34 from program income within the Community Development Block Grant Fund, Fund No. 5535. [UED 9/13/12] 12-694-1 **(Possible action may be taken)**
- g. **Wording Change:** Budget amendment ordinance transferring unencumbered and unexpended appropriation balances of \$1,748,315.09 of unexpended grant allocations between account groups, projects and departments within the Community Development Block Grant Fund, Fund No. 5535, for the expansion of Rosa Parks Early Childhood Education Center, sidewalk improvement, Vining Park improvements, and Family Safety Center. [UED 9/13/12] 12-694-2 **(Possible action may be taken)**
- j. Ordinance amending Title 52, Tulsa Revised Ordinances, The Electrical Code of the City of Tulsa, Oklahoma, by adopting the National Fire Protection Association (NFPA) 2011 Edition of NFPA-70, The "National Electrical Code (NFPA-70 2011)", as published by the National Fire Protection Association. [PW 9/13/12] 12-697-1
- k. Ordinance amending Title 56, Tulsa Revised Ordinances, The Plumbing Code of the City of Tulsa, Oklahoma, by adopting the ICC International Plumbing Code, 2009 Edition, including Appendices B, C, D, F, and G, as published by the International Code Council, Inc. [PW 9/13/12] 12-698-1
- l. Ordinance amending Tulsa Revised Ordinances, Title 59, The Mechanical Code of the City of Tulsa, Oklahoma, adopting the "International Mechanical Code, 2009 Edition," as published by the International Code Council, Inc. (ICC). [PW 9/13/12] 12-699-1
- m. Ordinance amending Title 14, Tulsa Revised Ordinances, The Fire Prevention Code of the City of Tulsa, adopting the International Code Council (ICC) International Fire Code, 2009 Edition, including Appendices "B" through "J", as amended. [PW 9/13/12] 12-700-1
- n. Ordinance amending Title 51, Tulsa Revised Ordinances, The Building Code of the City of Tulsa, Oklahoma, Chapter 4; adopting the ICC International Existing Building Code, 2009 Edition, as published by the International Code Council, Inc., excluding Appendices "A" and "B", as amended in this ordinance. [PW 9/13/12] 12-701-1

- o. Ordinance amending Title 51, Tulsa Revised Ordinances, The Building Code of the City of Tulsa, Oklahoma, Chapter 1; adopting the ICC International Building Code, 2009 Edition, as published by the International Code Council, Inc., including Appendix "G" as amended in this ordinance. [PW 9/13/12] 12-702-1