

10/21/2016 3:24 pm

MICHAEL P. KIER
CITY CLERK

NOTICE AND AGENDA

TULSA CITY COUNCIL - REGULAR MEETING

6:00 PM, Wednesday, October 26, 2016

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

INTRODUCTION

PLEDGE OF ALLEGIANCE AND INVOCATION

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. Minutes of Regular meeting held on October 12, 2016 at 5:00 P.M. [CC 10/26/16] 16-839-1
- b. Minutes of Regular meeting held on October 12, 2016 at 6:00 P.M. [CC 10/26/16] 16-839-2

2. APPOINTMENTS & REAPPOINTMENTS

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

3. PUBLIC HEARINGS

- a. Public Hearing regarding the Kendall-Whittier Sector Plan. [CC 10/12/16; CC 10/26/16] 16-745-1
- b. Public Hearing regarding the adoption of the Greenwood Heritage Neighborhoods Sector Plan. [CC 10/12/16; PH 10/12/16; CC 10/26/16] 16-744-1

4. MAYOR'S ITEMS

- a. Mayor's report on community events, briefing on City activities, City efforts, and new business. 97-631-3
- b. Resolution directing the filing of an amended parking meter site plan as directed by Title 37, Chapter 5, Section 501 of the Tulsa Revised Ordinances. **(Emergency Clause)** [UED 10/12/16; CC 10/26/16] 16-775-1
- c. Resolution authorizing condemnation action for property located at 10909 E. 141st St. owned by BSH Properties, LLC, for completion of Project No. ES 2009-10 C3 (Haikey Creek Lift Station). [UED 10/12/16; CC 10/26/16] 16-789-1
- d. Change Order No. 1 to Contract No. 31357 with Becco Contractors, Inc., for Project No. 063101-C to add an 81 calendar day extension to the contract. [PW 10/12/16; CC 10/26/16] 16-765-1

- e. Change Order No. 1 to Contract No. 30659 with Becco Contractors, Inc., for Project No. 104021 C3 to add a 17 calendar day extension to the contract. (CD-) [PW 10/12/16; CC 10/26/16] 16-76-1
- f. Change Order No. 1 to Contract No. 30585 with Pavement Construction Specialists, Inc., for Project No. 104525 TMUA 12-48 to add an 82 calendar day extension to the contract. [PW 10/12/16; CC 10/26/16] 16-767-1
- g. Change Order No. 1 to Contract No. 1 with Atlas General Contractors, LLC for Project No. SP 14-2 C1, Tulsa Zoo Lost Kingdom Pavilion, for \$157,968.94 to add a 156 calendar day extension to raise the floor elevation and accommodate permit changes/additions. [PW 10/12/16; CC 10/26/16] 16-791-1
- h. Donation of compensatory storage easement located at 6589 E. Broken Arrow Expressway frontage road from 2930 Anderson Holdings, LLC, as a requirement of AP 367132 to obtain a commercial building permit. (CD-7) [PW 10/12/16; CC 10/26/16] 16-792-1
- i. Donation of waterline easement located at 215 E. Archer St. by BOK Financial as part of requirements for IDP 8367. (CD-4) [PW 10/12/16; CC 10/26/16/] 16-794-1
- j. Donation of \$2,474.58 by American Institute of Architects for travel expenses for Mary Kell to attend the 25th Pan-American Congress of Architects Conference in Asuncion, Paraguay, November 24-26, 2016. [CC 10/26/16] 16-834-1
- k. Special Event Application: University of Tulsa Football games scheduled during November 2016 at University of Tulsa H. A. Chapman Field. (CD-4) [CC 10/26/16] 16-672-3
- l. Special Event Application: 2016 Williams Route 66 Saturday Marathon scheduled for November 19, 2016; starting point at 500 S. Main St. (CD-4) [CC 10/26/15] 14-937-3
- m. Special Event Application: 2016 Williams Route 66 Sunday Marathon scheduled for November 20, 2016; starting point at 300 N. Martin Luther King Blvd. (CD-4, 9) [CC 10/26/15] 13-877-4
- n. Special Event Application: 2015 McNellie's Pub Run scheduled for November 5, 2016 in downtown Tulsa. (CD-4) [CC 10/26/16] 13-941-4
- o. Special Event Application: Jenks Half Marathon scheduled for November 5, 2016 in Jenks and on Tulsa streets. (CD-2) [CC 10-26-16] 07-955-10
- p. Special Event Application: Night Light Tulsa scheduled for all Thursdays in November 2016 at N. Maybelle Ave. and West M. B. Brady St. (CD-4) [CC 10/26/16] 16-76-10
- q. Special Event Application: Day of the Dead (Dia de los Muertos) scheduled for November 1, 2016 at 307 East M.B. Brady St. (CD-4) [CC 10/26/16] 13-876-4
- r. Special Event Application: DAV 5K run scheduled for November 5, 2016; starting point at Guthrie Green, 111 East M.B. Brady St. (CD-4) [CC 10/26/16] 16-844-1
- s. Special Event Application: Garden Deva Open Studio Art Show scheduled for November 4-5, 2016 at 317 S. Trenton Ave. (CD-4) [CC 16-26-16] 12-806-5

- t. Special Event Application: Summit Club rooftop A/C replacement helicopter lift scheduled for November 5, 2016 at 515 S. Boulder Ave. (CD-4) [CC 10/26/16] 16-845-1
- u. Special Event Application: Guthrie Green Events scheduled for November 2016 at Guthrie Green, 111 East M.B. Brady Street. (CD-4) [CC 10/26/16] 16-74-10

5. AUTHORITIES, BOARDS & COMMISSIONS

- a. October 2016 Monthly Sales Tax Overview Committee Status Report. 16-93-8
- b. Resolution No. 2729:959 of the Tulsa Metropolitan Area Planning Commission (TMAPC), pursuant to Title 19 Oklahoma Statutes, Section 863.7, amending the Tulsa Comprehensive Plan by adopting amendment CPA-52, the “Kendall-Whittier Sector Plan Executive Summary”, which includes an Implementation Matrix, and Land Use and Areas of Stability and Growth Maps; finding the “Kendall-Whittier Sector Plan” to be in conformity with the Tulsa Comprehensive Plan, and recommending approval of the “Kendall-Whittier Sector Plan”. (TMAPC voted 8-0-0 to ADOPT the resolution.) (NOTE: In accordance with O.S. Title 19, § 863.7 the City Council must act on this item within 45 days of receipt. If no action is taken, the Comprehensive Plan amendment will be officially approved.) (Received by Council on 10/5/16) (CD-3, 4) [UED 10/12/16; CC 10/26/16] 16-745-7
- c. Consider approval of the Kendall-Whittier Sector Plan. [UED 10/12/16; PH 10/12/16; PH 10/26/16; CC 10/26/16] 16-745-6
- d. Resolution No. 2729:960 of the Tulsa Metropolitan Area Planning Commission (TMAPC), pursuant to Title 19 Oklahoma Statutes, Section 863.7, amending the Tulsa Comprehensive Plan by adopting CPA -53, the “Greenwood Heritage Neighborhoods Sector Plan Executive Summary”, which includes an Implementation Matrix, and Land Use and Areas of Stability and Growth Maps; finding the “Greenwood Heritage Neighborhoods Sector Plan” to be in conformity with the Tulsa Comprehensive Plan; and recommending approval of the “Greenwood Heritage Neighborhoods Sector Plan”. (TMAPC voted 8-0-0 to ADOPT the resolution.) (NOTE: in accordance with O.S. Title 19, § 863.7 the City Council must act on this item within 45 days of receipt. If no action is taken, the comprehensive plan amendment will be officially approved. Received by Council on 10/5/16) (CD-1) [UED 10/12/16; CC 10/26/16] 16-744-4
- e. Consider approval of the Greenwood Heritage Neighborhoods Sector Plan, also known as the Unity Heritage Neighborhood Sector Plan. [UED 10/12/16; CC 10/26/16] (CD-1) 16-744-5
- f. Resolution No. 2729:958 of the Tulsa Metropolitan Area Planning Commission amending the Land Use Map of the Tulsa Comprehensive Plan from “New Neighborhood” to “Mixed Use Corridor” on approximately 1.4 acres located east of the NE/c of S. Yale and E.32nd St. by adopting CPA-55. (TMAPC voted 8-0-0 to **ADOPT** the resolution) (NOTE: In accordance with O.S. Title 19, § 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 9/30/16) (CD-5) [UED 10/12/16; CC 10/26/16] 16-802-1
- g. Rezoning Application Z-7358, requested by Lou Reynolds/Eller & Detrich, for properties located west of the SW/c of E. 1st St. S. and S. Utica Ave. from RM-2 to IL. (Property owner: WBA Properties, LLC, and Granite Mountain, LLC.) (TMAPC voted 8-0-0 to recommend **APPROVAL** IL zoning) (CD-4) [UED 10/12/16; CC 10/26/16; CC 11/2/16] 16-800-1

- h. Rezoning Application Z-7359, requested by Jason Burks for property located east of the NE/c of S. Yale and E. 32nd St. from RS-2 to CG with optional development plan. (Property owner: Mount, Houston B. II and Sue Ann) (TMAPC voted 8-0-0 to recommend **APPROVAL** CG zoning) (CD-5) [UED 10/12/16; CC 10/26/16; CC 11/2/16] 16-803-3
- i. **Continued from 10/12/16 meeting:** Appeal of moratorium on certain uses within River Design Overlay requested by Heath Hardcastle/Albright, Rusher, and Hardcastle, for property located at 2850 E. 101st St. S. (Property owner: Summit Properties, Inc.) (TMAPC voted 8-0-0 to **APPROVE** the appeal) (CD-2) [UED 10/12/16; CC 10/12/16] 16-799-1

6. ORDINANCES - FIRST READING

- a. Budget amendment ordinance amending the FY 2016/2017 budget to make supplemental appropriations of \$25,000.00 from grant revenues to be received within the Non-Grant Miscellaneous Revenue Fund (Fund No. 5809) [UED 10/26/16; CC 10/26/16; CC 11/2/16] (BA75809027) 16-826-1
- b. Budget amendment ordinance amending the FY 2016/2017 budget to make supplemental appropriations of \$114,000.00 from recognizing un-appropriated fund balance within the TPFA/OTC Building Operations Fund (Fund No. 2450) [UED 10/26/16; CC 10/26/16; CC 11/2/16] (BA 73450028) 16-827-1
- c. Budget amendment ordinance amending the FY 2016/2017 budget to make supplemental appropriations of \$200,000.00 from recognizing un-appropriated fund balance within the Convention and Tourism Fund (Fund No. 2810) [UED 10/26/16; CC 10/26/16; CC 11/2/16] (BA 72810026) 16-843-1
- d. Ordinance amending the Building Code of the City of Tulsa, Oklahoma, Title 51, Tulsa Revised Ordinances, Chapter 2; adopting the ICC International Residential Code for One and Two Family Dwellings, 2015 Edition. (**Emergency Clause**) [PW 10/26/15; CC 10/26/15; CC 11/2/15] 16-821-1
- e. Ordinance amending the Building Code of the City of Tulsa, Oklahoma, Title 51, Tulsa Revised Ordinances, Chapter 3; adding “manufactured homes” and a violation penalty section. (**Emergency Clause**) [PW 10/26/15; CC 10/26/15; CC 11/2/15] 16-822-1
- f. Ordinance amending Title 51, Tulsa Revised Ordinances Chapter 5, “Residential Swimming Pools, Spas, and Hot Tubs” to include gates not equipped with a locking device in Section 503(5), adding swimming pools to the exceptions in Section 503(6), adding new paragraph B to Section 504 to include entrapment avoidance, relettering Section 504, and adding a violation penalty section. (**Emergency Clause**) [PW 10/26/16; CC 10/26/16; CC 11/2/16] 16-823-1
- g. Ordinance amending Ordinance 23480 approving PUD 467-A for property located west of NW/c of E. 51st St. and S. Pittsburgh Ave., allowing the erection of a digital billboard, to correct the date of approval by TMAPC and clarifying the applicable development standards. [UED 10/26/16; CC 10/26/16; CC 11/2/16] 16-846-1

7. ORDINANCES - SECOND READING

- a. Budget amendment ordinance amending the FY 2016/2017 budget to make supplemental appropriations of \$12,400.00 to be received within the Non-Grant Miscellaneous Special Revenue Fund (Fund 5809). [UED 10/12/16; CC 10/12/16; CC 10/26/16] (BA75809023) 16-769-1

- b. Budget amendment ordinance amending the FY 2016/2017 budget to make supplemental appropriations of \$189,980.00 from grant revenues to be received from FEMA and transfer within the FEMA Grant Fund (Fund 5317). [UED 10/12/16; CC 10/12/16; CC 10/26/16] (BA75717025) 16-805-1
- c. Budget amendment ordinance amending the FY 2016/2017 budget to transfer unencumbered and unexpended appropriation balances of \$47,495.00 between accounts and departments within the Stormwater Capital Projects Fund (Fund No. 6041). [UED 10/12/16; CC 10/12/16; CC 10/26/16] [CT76041008] 16-806-1
- d. Budget amendment ordinance amending the FY 2016/2017 budget to make supplemental appropriations of \$114,000.00 from recognizing un-appropriated fund balance within the TPFA/OTC Building Operations Fund (Fund No. 2450) [UED 10/26/16; CC 10/26/16; CC 11/2/16] (BA 73450028) 16-827-1
- e. Budget amendment ordinance amending the FY 2016/2017 budget to make supplemental appropriations of \$15,000.00 from grant revenues to be received within the Historic Preservation Grant Fund. (Fund 5315). [UED 10/12/16; CC 10/12/16; CC 9/26/16] (BA75315024) 16-790-1
- f. Ordinance amending Title 11, “Public Works Department”, Chapter 3, Section 303, Tulsa Revised Ordinances, establishing a method of calculating the fee for hooding a parking meter. [UED 10/12/16; CC 10/12/16; CC 10/26/16] 16-771-1
- g. Ordinance amending Title 45, Chapter 1, Section 100, Tulsa Revised Ordinances, adjusting the use tax rate to 3.65% and amending Section 119, directing 15% of the use tax revenue to be used for debt service. [UED 10/12/16; CC 10/12/16; CC 10/26/16] 16-804-1
- h. Ordinance closing portions of utility easements located at 4030 S. Garnett Rd. requested by Steve Schuller. (CD-6) [PW 10/12/14; CC 10/12/16; CC 10/26/16] 16-808-1
- i. Ordinance closing a utility easement located south of the SW/c of S. Sheridan Rd. and E. 41st St., requested by Nathalie Schaefer/Eller Detrich. (CD-5) [PW 10/12/16; CC 10/12/16; CC 10/26/16] 16-773-1
- j. Ordinance closing an unused portion of a utility easement located east of the NE/c of S. Utica Ave. and E. 15th St., requested by Matthew Pitts. (CD-4) [PW 10/12/16; CC 10/12/16; CC 10/26/16] 16-772-1
- k. Ordinance amending Title 28, “The Municipal Employees Retirement Plan,” Section 504.D, Tulsa Revised Ordinances, changing the time frame for termination of credited service for participants on long-term disability effective January 1, 2017. **(Emergency Clause)** [UED 10/12/16; CC 10/12/16; CC 10/28/16] 16-770-3
- l. Ordinance closing a portion of an overland drainage easement and detention easement located east and south of the SE/c of S. 186th E. Ave. and E. 46th Place S. requested by Parker and Davis Law, Inc. **(Emergency Clause)** (CD-6) [PW 10/12/16; CC 10/12/16; CC 10/26/16] 16-807-1

8. COUNCIL ITEMS

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

- b. Consensus of the Council supporting events celebrating Memorial Day and the Route 66 Patriot Fest Cruise and Car Show scheduled for Saturday, May 27, 2017. (Cue, Dodson, Patrick) [CC 10/26/16] 15-986-4
- c. Council waiver of up to \$2,500.00 of fees associated with 2016 Christmas Parade. (Cue, Dodson, Patrick) [CC 10/26/16] 16-841-1
- d. Discussion regarding the demolition and conversion of houses in a residentially zoned area for the purpose of supporting non-residential uses, including but not limited to parking, office, or commercial uses. (Cue) [CC 10/26/16] 16-825-1

9. **NEW BUSINESS**

- a. New Business. 02-268

10. **HEARING OF APPEALS**

- a. Appeal of maintenance order issued by Working in Neighborhoods Housing Officer filed by Andrew Sears regarding property located at 6728 East 65th St. South. [**NOTE: This item was tabled for 30 days at 9/21/16 meeting.**] (CD-7) [CC 9/21//16; CC 10/26/16 16-705-1
- b. Appeal of abatement fees for work done at 1125 E. 49th St. N. filed by Michael McClain. (CD-1) [CC 10/26/16] 16-817-1

11. **HEARING OF PUBLIC COMMENTS**

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

12. **ADJOURNMENT**

- a. Adjournment. 97-399