

**AGENDA  
SAPULPA CITY COUNCIL  
MONDAY, APRIL 6, 2009**

**CITY HALL, 425 EAST DEWEY  
REGULAR MEETING - 7:00 P.M., COUNCIL CHAMBERS**

As required by Section 311, Title 25 of the Oklahoma Statutes, notice is hereby given that the City of Sapulpa, State of Oklahoma, will hold a regular meeting on Monday, April 6, 2009 at 7:00 p.m., at the Council Chambers, Sapulpa City Hall, 425 East Dewey, Sapulpa, Oklahoma.

**MEETING PROCEDURE:** Comments from the public are welcome at two different times during the course of the meeting: (1) Comments not scheduled on the Agenda will be heard under Public Comments - Agenda Item No. V.; and (2) Comments on all scheduled Agenda Items will be heard immediately following the presentation by staff or petitioner. **Please wait until you are recognized by the Mayor and keep comments as brief as possible.** The City Council will act on the Agenda Item after comments from the staff and the public has been heard.

**I. CALL TO ORDER**

**II. INVOCATION**

**III. PLEDGE OF ALLEGIANCE**

**IV. ROLL CALL**

- V. PUBLIC COMMENTS:** The purpose of the Public Comments Section of the Agenda is for members of the public to speak to the City Council on any subject not scheduled on the Regular Agenda. City Council shall make no decision or action, except to direct the City Manager to take action, or to schedule the matter for City Council discussion at a later date.  
**THOSE ADDRESSING THE CITY COUNCIL ARE REQUESTED TO IDENTIFY THEMSELVES BY NAME.**

**VI. PRESENTATIONS AND PROCLAMATION**

- VII. CONSENT AGENDA:** All matters under "Consent" are considered by the City Council to be routine and will be enacted by one motion. Any City Council member may, however, remove an item from consent by request.

- A. Consider a motion approving minutes of the regular City Council meeting of March 16, 2009.
- B. Consider approving Regular Claims in the amount of \$400,972.37.
- C. Consider approving following Prepaid Claims:
  - 1. Health Insurance Claims - \$141,092.94

D. Consider approving Payroll Claims in the amount of \$319,138.80.

E. Consider approving Special Pay Request: (None.)

**VIII. CONSIDER ITEMS REMOVED FROM CONSENT AGENDA**

A. Claims/Pay Estimates associated with Bond Issues, Grants or Special Projects of a major nature.

1. None

**IX. PUBLIC HEARING**

A. Consider conducting a second public hearing as part of the amendment process to the Flood Damage Prevention Program to receive the comment and input from the public regarding proposed changes to Part 12, Chapter 5 of the Sapulpa City Code.

**X. OLD BUSINESS**

**XI. CURRENT BUSINESS**

A. Consider declaring certain vehicles surplus property and authorize the City Manager to dispose of said vehicles at public auction.

**XII. NEW BUSINESS**

A. Consider items not known about prior to posting the Agenda.

**XIII. APPROVALS AND ACCEPTANCES**

**A. Ordinances:**

1. Consider adopting an Ordinance of the City of Sapulpa, Oklahoma, amending the Master Fee Schedule to the Sapulpa City Code, Appendix A, Sections 17.17-202, 17.17-203, 17.17-222 by providing for amended Water and Sewer Rates; repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing that if any part or parts of this ordinance are held invalid or ineffective, the remaining portions shall not be affected; and declaring an emergency.

2. Consider adopting an Ordinance of the City of Sapulpa, Oklahoma, amending the Sapulpa City Code Part 12, Chapter 5, Flood Damage Prevention, by repealing and replacing existing Sections 12-501 through 12-521 with new Sections 12-501 through 12-522 providing for Finding of Fact, Statement of Purpose, Definitions, Establishment of Development Permit, Compliance, Interpretation, Designation of the Floodplain Administrator, Permit Procedures, Variance Procedures, Provisions for Flood Hazard Reduction; General and Specific Standards, Floodways, Severability, Penalties for Noncompliance and Certification; repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing that if any part or parts of this ordinance are held invalid or ineffective, the remaining portions shall not be affected; and declaring an emergency.

**B. Resolutions:**

1. Consider adopting a Resolution directing the Institution of Proceedings to annex into Municipal Limits Certain Territory located in Section 4, Township 18 North, Range 12 East, Creek County, Oklahoma; and authorizing and directing the proper officials of the City of Sapulpa to implement such proceedings; and declaring an emergency.
2. Consider adopting a Resolution directing the Institution of Proceedings to annex into and de-annex from Municipal Limits certain territory located in Sections 21, 28 and 33, Township 18 North, Range 12 East, Creek County, Oklahoma; and authorizing and directing the proper officials of the City of Sapulpa to implement such proceedings; and declaring an emergency.
3. Consider adopting a Resolution of the City of Sapulpa, Oklahoma, prescribing a ninety (90) day Moratorium on Licensing Itinerant Vendor Applications under Part Nine Chapter 2, Sections 9-201-9-206 of the Sapulpa City Code; authorizing and directing staff to prepare an amendment to these provisions of the Sapulpa City Code; and repealing all Resolutions in conflict herewith; and declaring an emergency.
4. Consider adopting a Resolution of the City of Sapulpa and the Sapulpa Municipal Authority, Sapulpa, Oklahoma, amending the FY 2008-2009 Sapulpa Municipal Authority Budget by reallocating appropriations to provide financial assistance to the Insurance Fund and amending the FY 2008-2009 Insurance Fund Budget by increasing revenues and increasing appropriations for the purpose of providing

funding for Claims Expense.

5. Consider adopting a Resolution of the City of Sapulpa, Oklahoma, amending the FY 2008-2009 Budget to establish a Swimming Pool Fund to account for donations, grants and expenditures for the design and construction of a Municipal Pool.

**C. Bid Awards:**

1. Consider awarding the bid for Hopper Broom to OCT Equipment, LLC in the base bid amount of \$4,340.00 and options one, two and three to be added if purchase is within budget, as the lowest and most responsive bid.
2. Consider awarding West Mike Avenue/South Bixby Street Community Development Block Grant (CDBG) Project to Paragon Contractors, LLC in the base bid amount of \$147,833.46 as the lowest and most responsive bid, subject to receiving approval/Release of Funds from Tulsa County under CDBG Urban County Program.

**D. Contracts:**

1. Consider acknowledging receipt of a Grant Award from Oklahoma Department of Libraries to the Bartlett-Carnegie (Sapulpa) Library in the amount of \$2,068.00, approving the grant contract, and will authorize the Mayor to sign all documents related thereto.
2. Consider approving the Planned Maintenance Agreement with Cummins Southern Plains for maintenance of the generators for the Police and Fire Departments for a period of one year effective April 6, 2009, in the amount of \$1,409.01.
3. Consider approving Agreement(s) with Otis Elevator for Inspection Services related to the elevators at City Hall and the Library for the amount of \$220.00 per location.
4. Consider approving Agreement with Planning Design Group, Inc. for Professional Services associated with the design, bidding and Contract Administration of the new Sapulpa Family Aquatics Center Facility.
5. Consider approving Engineering Services Agreement with Meshek and Associates, PLC for Phase 1 (Conceptual Design) of a 2MG Water Storage Tank and Floodway Modification of West Pump Station site location.

6. Consider approving Amendment No. 5 to original agreement with Tetra Tech, Inc. dated 5/3/04 by adding preparation of an Environmental Information Document and PreDesign to the Scope of Services associated with the Johnson and Johannes Sewer Relief Interceptor pursuant to Oklahoma Department of Environmental Quality (ODEQ) Consent Order No. 06-220.
7. Consider approving the close-out of the Hawthorne Lift Station Upgrade Project with L & L Construction Company, approve Pay Estimate No. 7 (Final) in the amount of \$24,639, which includes all retainage withheld; approve all other close-out documents; and establish the warranty date effective March 17, 2009 through March 16, 2010.
8. Consider approving Contract for Sewage Disposal between the City of Sapulpa, Sapulpa Municipal Authority, City of Tulsa and Tulsa Metropolitan Utility Authority for Collection and Treatment of Tulsa Sewage near 91<sup>st</sup> Street and 33<sup>rd</sup> West Avenue.
9. Consider approving the Employee Assistance Program Agreement with  
Community Care and authorize the Mayor to execute the necessary documents.
10. Consider approving Warranty Deed between the Muscogee Creek Nation and the City of Sapulpa for real property located at Lot 18, Block 5, Pleasant View Addition to the Parks Department of the City of Sapulpa, Creek County and authorize the Mayor to execute said agreement.
11. Consider approving General Warranty Deed from the Board of Creek County Commissioners and City of Sapulpa for a tract of land located in Section 2, Township 17 North, Range 11 East, Creek County, Oklahoma as more particularly described by the metes and bounds corrected description contained therein and authorize the Mayor to execute said Agreement.
12. Consider approving agreement between the City of Sapulpa and Sapulpa Friends Foundation, Inc. governing transfer of donated funds and memorializing City' agreement to design, construct and maintain a Public Swimming Pool at Liberty Park.

#### **XIV. COMMITTEE REPORTS**

- A. Minutes from the Economic Development Advisory Board Meeting on Thursday, March 19, 2009 at 5:30 P.M.
- B. Minutes from the Administration and Finance Committee Meeting on Monday, March 23, 2009 at 5:30 P.M.
- C. Minutes from the Golf Course Committee Meeting on Tuesday, March 24, 2009 at 5:30 P.M.

**XV. INFORMATIONAL ITEMS FROM MAYOR, CITY COUNCIL, CITY MANAGER, OR CITY ATTORNEY**

- A. Informational item -Correspondences from Cox Communications regarding music channel lineup effective April 15, 2009, and cable channel lineup.
- B. Informational item –City of Sapulpa Municipal Golf Course March, 2008 vs March, 2009
- C. Informational item – March Monthly Golf Course Report
- D. Informational item – Project Status Report from Tetra Tech/FHC regarding various City and Authority Projects.

**XVI. EXECUTIVE SESSION**

- A. Consider entering Executive Session for the purpose of:
  - 1. Confidential communications with legal counsel concerning the pending litigation styled : FOP Lodge 94 v. City of Sapulpa; FMCS No. 060816-04891-7, upon advise that disclosure will seriously impair the ability of the public body to conduct the litigation in the public interest [25 O.S. Section 307 B (4)].
  - 2. Confidential Communications with legal counsel concerning the pending litigation styled: Michael Knutson v. City of Sapulpa et al N.D. Oklahoma Case No. 09-CV-028TCK upon advice that disclosure will seriously impair the ability of the public body to conduct the litigation in the public interest [25 O.S. Section 307 B (4)].
- B. Consider action in open session regarding matters discussed in Executive Session, including without limitation, the following:
  - 1. Consider authorizing staff to take action in regard to pending litigation discussed in executive session.
  - 2. Consider authorizing staff to take action in regard to pending litigation discussed in executive session.

**XVII ADJOURNMENT**