

**AGENDA
SAPULPA CITY COUNCIL
MONDAY, AUGUST 17, 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, August 17, 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 PROCLAMATIONS

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 August 3, 2009.

B. Consider approving Regular Claims in the amount of \$134,340.87.

C. Consider approving following Prepaid Claims:

1. Health Insurance Claims – \$142,369.80

D. Consider approving Payroll Claims in the amount of \$369,890.79.

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 public hearing on the question of annexing into Municipal limits certain territory located in Lot 2, Northwest Quarter (NW/4) Northeast Quarter (NE/4) Section 5, Township 17 North, Range 12 East, Creek County, Oklahoma.

X. OLD BUSINESS

XI. CURRENT BUSINESS

A. Consider accepting 2009 grant from the National Recreation and Parks Association for After School Archery Program in the amount of \$500.

B. Consider declaring two (2) used ballistic vests surplus and authorize staff to donate these items to the Morris Police Department upon receipt from donee of an approved release.

C. Consider approving request from The American Legion to close a City-owned parking lot for Sunday, August 23rd through Tuesday, August 25th for the purpose of removing the existing units and installing two new air conditioning units on top of their roof. This is a safety precaution for the public since they will be using cranes. The parking lot is located behind Sapulpa Herald and adjacent to The American Legion Building at 105 East Lee.

D. Consider a temporary street closing from First Christian Church of Sapulpa for Sunday, September 20, 2009, from 11:00 a.m. to 2:30 p.m. for the annual “Western Days Fall Kick Off”. The street closure is South Elm Street from the south curb line of Lee to a point approximately 220 feet south of Lee Street.

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, extending the corporate limits of the City of Sapulpa, Oklahoma, making Findings of Fact; annexing an area adjacent to the City of Sapulpa in Lot 2 Northwest Quarter (NW/4) Northeast Quarter (NE/4) of Section 5, Township 17 North, Range 12 East, Creek County, Oklahoma; into and as a part of the corporate limits of the City of Sapulpa; designating the tracts to be annexed; providing for the Zoning and Ward Classification of the annexed area; providing for severability; and declaring an emergency.

B. Resolutions:

1. Consider adopting a Resolution affirming the City of Sapulpa's support of and partnership with the 2010 Census.
2. Consider adopting a Resolution of the City of Sapulpa, Oklahoma, authorizing the City Manager or his Designee to apply for Excess and Surplus Equipment through applications to various Federal Agencies.
3. Consider adopting a Resolution of the City of Sapulpa, Oklahoma, authorizing the City Manager or his Designee to apply for Community Facility Grants by ad through applications to various Federal Agencies.
4. Consider adopting a Resolution of the City of Sapulpa, Oklahoma, authorizing the City Manager to designate certain people for Civil Rights and Sensitivity Training per 7 CFR § 1901.651 and Equal Access to Credit Training per 7 CFR § 15, Subpart B.
5. Consider adopting a Resolution of the City of Sapulpa, Oklahoma, amending the FY 2009-2010 Parks and Recreation Services Fund by increasing revenues and increasing appropriations to recognize a donation for the purchase of sand for top dressing the girls softball fields.
6. Consider adopting a Resolution of the City of Sapulpa, Oklahoma, amending the FY 2009-2010 Annual Budget by increasing revenues and appropriations in the Grants and Aid Fund for the purpose of recognizing a Grant Award from the National Recreation and Park

Association for the purchase of Archery Equipment, Resources and Supplies.

7. Consider adopting a Resolution of the City of Sapulpa, Oklahoma, and the Sapulpa Municipal Authority, amending the FY 2009/2010 Annual Budget of the Sapulpa Municipal Authority Fund, the Hotel/Motel Tax Fund and the Grants and Aid Fund by increasing appropriations, revenues and transfers to provide funds for the procurement assistance necessary to obtain financial assistance from different divisions of the U. S. Department of Agriculture.

C. Bid Awards:

1. None

D. Contracts:

1. Consider and approve an affidavit for stray instruments and a Warranty Deed in favor of Independent School District No. 33, conveying 11.56 acres of land in the North Half (N/2), Southeast Quarter (SE/4), South Half (S/2), Northeast Quarter (NE/4) and the Southwest Quarter (SW/4) of Section 34, Township 18 North, Range 11 East, Creek County, Oklahoma (as more particularly described therein), and authorize the Mayor to execute the same.
2. Discuss and consider approving an Equitable Sharing Agreement and Certification with the United States Department of Justice for continued participation in and use of federally forfeited cash, property proceeds, and authorize the Mayor to execute the same.
3. Discuss and consider approving a K-9 Care, Custody and Control Agreement with Stephen Zamudio, for the care and control of Sapulpa K-9 Officer Wesley from and after his retirement from service, and authorize the Mayor to execute the same.
4. Consider and approve Addendum 1 to Agreement with C & H Professional Services, Inc. d/b/a The Warranty Division, providing for a 35% collection agency fee and 26% commission rate on accounts referred for collection, and authorize the Mayor to execute the same.
5. Consider and approve Addendum 1 to Collection Agency Agreement with Tulsa Adjustment Bureau, Inc., providing for a 35% collection agency fee and 26% commission rate on accounts referred for collection, and authorize the Mayor to execute the same.
6. Consider an agreement with the Sapulpa Area Chamber of Commerce for the period of July 1, 2009, and ending July 31, 2010, for Tourism Development Services, and authorizing the Mayor to execute said agreement.

7. Consider approving Partnership Agreement with the United States Census Bureau to ensure a complete and accurate 2010 Census.
8. Consider approving Local Agency Agreement with the Oklahoma Department of Transportation (ODOT) for federal participation in Right-of-Way and Utility Relocation Costs associated with the following Surface Transportation Project and authorize the Mayor to execute the agreement:

49th West Ave.-from West 65th St. South Ext. North to West 58th St. South 0.4 Miles

Project Number STP-119C(199)IG-Jobpiece 24605(05)
Right-of-Way Acquisition

Project Number STP-119B(200)IG-Jobpiece 24605(06)
Utility Relocation

9. Consider approving Local Agency Agreement with the Oklahoma Department of Transportation (ODOT) for federal participation in Right-of-Way and Utility Relocation Costs associated with the following Surface Transportation Project and authorize the Mayor to execute the agreement:

Project Description: Mission Street (SH-66) at Line Street (ML King Boulevard)

Project Number STP-119B(197)IG-Jobpiece 24604(06)
Right-of-Way Acquisition

Project Number STP-119B(198)IG-Johpiece 24604(07)
Utility Relocations

10. Consider approving Personal Services Contract with Phil Givens Company for assistance in applying and obtaining of loans, grants and surplus equipment through various Federal Agencies and authorize the Mayor to execute said contract.

XIV. COMMITTEE REPORTS

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

- A. Informational item – Pretty Water & Sahoma Lake Permits
July FY 07/08 vs. July FY 08/09

- B. Informational item – City of Sapulpa Municipal Golf Course July, 2008 vs. July, 2009
- C. Informational item – Sales Tax Breakdown for the month of June, 2009 received in August, 2009.
- D. Informational item – Project Status Report from Tetra Tech/FHC regarding various City and Authority Projects.

XVI. EXECUTIVE SESSION

- A. Consider entering Executive Session to:
 - 1. Discuss with legal counsel pending litigation in Wyatt v. City of Sapulpa, No. 08-CV-679-TCK (N. D. Oklahoma) [25 O.S. Section 307 (B)(4)].
 - 2. Discuss with legal counsel pending litigation in City of Sapulpa v. Glen and Wanda Nix, et al, CJ-2009-473 (Creek County District Court) [25 O.S. Section 307 (B)(4)].
- B. Consider action in Open Session regarding matters discussed in Executive Session, including:
 - 1. Action to authorize the Mayor to attend an October 20, 2009 settlement conference in Wyatt v. City of Sapulpa, No. 08-CV-679-TCK (N.D. Oklahoma) and approve settlement of an amount recommended by settlement judge or plaintiff’s last demand contingent upon payment by City’s insurer.
 - 2. Action to approve entry of a Judgment in City of Sapulpa v. Nix CJ-2009-473 (Creek County District Court) as discussed and recommended by counsel.

XVII ADJOURNMENT