

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JANUARY 8, 2008 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

AUDIENCE PARTICIPATION: Anyone having an item of business to present to the City Council that does not appear on the agenda, please come forward at this time.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETINGS OF DECEMBER 11 AND DECEMBER 18, 2007.

CONSENT AGENDA: The following items are considered to be routine by the City Council and will be enacted with one motion. Should discussion be desired on an item, that item will be removed from the Consent Agenda prior to action and considered separately.

1. Consider the following damage claims recommended for approval and consider passage of the resolution authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Lyle and Evelyn Ball in the amount of \$780.33, Southwestern Bell Telephone L.P. in the amount of \$594.15 and Andre Sachs in the reduced amount of \$1,119.68. Exhibits: Legal Opinions/Recommendations, Resolution No. 08 - ____, Resolution No. 08-____ and Resolution No. 08 - _____. Page 1
2. Consider the following damage claims recommended for denial: Southwestern Bell Telephone L.P. in the amount of \$484.94 and Southwestern Bell Telephone L. P. in the amount of \$6,070.94. Exhibits: Legal Opinions/Recommendations. Page 14
3. Consider approving an Amendment to the Outside Water Sales Contract with Ben and Rhonda Roulain, and authorize the Mayor and City Clerk to execute the Contract. Exhibits: Contract is on file in the City Clerk's Office. Page 21
4. Acknowledge receipt of election returns of December 11, 2007. Exhibits: Official Certification of Votes from Comanche County Election Board. Page 22
5. Consider approving the request from Kent Waller to make additional improvements at School House Slough. Exhibits: None. Page 26
6. Consider a request to authorize the Mayor to initiate a letter of support to the National League of Cities, Institute of Youth, Education and Families (YEF Institute) to participate in the following technical assistance project: City Leaders Supporting Afterschool and a New Day for Learning. Exhibits: Letter of support to the National League of Cities Institute for Youth, Education, and Families for the City of Lawton to participate in the technical assistance project, City Leaders Supporting Afterschool and a New Day for Learning. Page 28
7. Consider authorizing a Resolution of Necessity for real property acquisition for the NW 67th Street Reconstruction (Cache Road to Rogers Lane) project #2003-7. Exhibits: Resolution 08-____, Location Map. Resolution 08-____ with Exhibits "A" is on file in the Engineering Division Office. Page 31

8. Consider granting a revocable permit to use a portion of the NW 62nd Street right-of-way south of Oak Avenue for parking and maneuvering. Exhibits: Application and Revocable Permit. Page 35
9. Consider accepting the 8-inch sewerline located on the west side of NW 82nd Street, approximately ¼ mile north of Quanah Parker Trailway, escrow agreement in lieu of maintenance bond, and two utility easements. Exhibits: Location Map. Escrow Agreement and Utility Easements on file in City Clerk's Office. Page 42
10. Consider awarding (CL08-020) Water Pipes & Fittings to the following vendors: 1) HD Supply Waterworks of Oklahoma City, OK: Items 1-3, 9, 18, and 20, 2) Water Products of Oklahoma, Inc of Owasso, OK: Items 8, 10, 13-17, and 19 and 3) Oklahoma Contractors Supply of Oklahoma City, OK: Items 4-7 and 11-12. Exhibits: Department recommendation, abstract of bids. Page 44
11. Consider awarding (CL08-025) Sodium Hypochlorite to DPC Industries Inc. of Cleburne, TX. Exhibits: Department recommendation, abstract of bids. Page 57
12. Consider extending the contract (CL06-017) Electro Fusion Polyethylene Fittings for DR17 Pipe with SECOR of Houston, TX. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 61
13. Consider awarding (CL08-021) Fire Hydrants to the following vendors: 1) Oklahoma Contractors Supply of Oklahoma City, OK: Items 1-5 and 14-15, 2) Hydraflo, Inc of Beaumont, TX: Items 6-11 and 3) HD Supply Waterworks of Oklahoma City, OK: Items 12-13. Exhibits: Department recommendation, abstract of bids. Page 66
14. Consider approving appointments to boards and commissions. Exhibits: None. Page 76
15. Consider approval of payroll for the period of December 17 - 30, 2007.

BUSINESS ITEMS:

16. Hold public hearings and adopt resolutions declaring the structures at: 707 SW Summit Avenue, 1105 SW 8 Street, 1304 SW 19th Street and 2017 SW Jefferson Avenue to be dilapidated public nuisances, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to commence legal action in district court to abate each nuisance. Further authorize Neighborhood Services to solicit bids to raze and remove each dilapidated structure, if necessary. Exhibits: Resolutions. Summary documents with supporting photos and reports from the Fire Marshal, Housing Inspectors, and case history are available from Neighborhood Services. Page 77
17. Hold a public hearing and consider an ordinance changing the zoning from R-1 (Single-Family Dwelling District) to C-1 (Local Commercial District) zoning classification located at 2607 – 2621 SW Cornell Avenue. Exhibits: Ordinance No. 08-____, Location Map, Application and CPC Minutes. Page 90

18. Hold a public hearing and consider an ordinance amending Sections 18-1-1-106, 18-6-11-611, 18-6-11-612, 18-6-12-623, 18-6-12-624 and 18-6-14-646, Chapter 18, Lawton City Code, 2005, by adding the definitions for carnival, circus, and theaters; amending the definition of commercial amusement enterprise; and amending which zoning districts permit commercial amusement enterprises and drive-in movie theaters. Exhibits: Ordinance No. 08-____ and CPC Minutes. Page 99
19. Consider accepting the recommendation of the Lawton Impact Fee Committee and authorize the City of Lawton to proceed with the required engineering, easement acquisition, and construction of a sewer line extension of the Wolf Creek Sanitary Sewer Project using designated water/sewer impact fees. Exhibits: Impact Fee Collection History, October 30, 2007 Impact Fee Committee meeting minutes. Page 111
20. Consider an ordinance amending Section 22-2-2-227, Division 22-2-2, Article 22-2, Chapter 22, Lawton City Code, 2005, by adding two additional members active in land development/building, providing for severability and an effective date. Exhibits: Ordinance 08-____ and List of current membership. Page 117
21. Consider an ordinance amending Section 22-4-1-403, Section 22-4-1-4-5 and Section 22-4-1-141, Division 22-4-1, Article 22-4, Chapter 22, Lawton City code, 2005, by increasing the volume of refuse allowed to be placed at the curb and identifying the number of containers, the number of plastic refuse garbage bags and the number of bags of yard debris allowed to be placed at the curb in those areas not yet utilizing the cart and semi-automated collection system, providing for severability and declaring an emergency. Exhibits: Ordinance 2008-____. Page 120
22. Consider an ordinance amending Section 22-4-1-415, Division 22-4-1, Article 22-4, Chapter 22, Lawton City code, 2005, by adding four additional areas to be serviced by the semi-automated refuse collection, providing for severability and declaring an emergency. Exhibits: Ordinance 2008-____ and Location Map. Page 125
23. Consider an ordinance amending Section 20-1-102, Article 20-1, Chapter 20, Lawton City code, 2005, relating to street closures due to construction/maintenance by City workers, private contractors, and utility companies; requiring private contractors and utility companies to obtain a permit prior to closing a street for construction/maintenance activities and instituting a fine for non-compliance and declaring an emergency. Exhibits: Ordinance 2008-____ and Road Closure Permit Application. Page 132
24. Consider an ordinance amending Sections 7-30-1-3001, 3003, 3004, 3005 and 3006, Division 7-30-1, Article 30-1, Chapter 7, Lawton City Code, 2005, adding church, school and playground to definitions, providing for a filed surety bond with the Oklahoma Secretary of State, establishing location for body piercing and tattoo parlors, and making it unlawful to perform body piercing or tattooing on a child under eighteen years of age without parental consent or upon a person impaired by drugs or alcohol, providing for severability, and declaring an emergency. Exhibits: Ordinance No. 08-____. Page 137

25. Consider an ordinance pertaining to vehicles and traffic, Section 23-8-801, Article 23-8, Chapter 23, Lawton City Code, 2005, clarifying which vehicles approaching a “T “ intersection must yield to approaching traffic unless traffic control devise are posted, providing for severability, and declaring an emergency. Exhibits: Ordinance 2008-___.
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REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

26. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss two cases out of the United States Court of Appeals which is pending to be filed with the United States Supreme Court, *Summum v. Pleasant Grove City, et al.*, Case No. 06-4057; and *Summum v. Duchesne City, et al.*, Case Nos. 05-4162, 05-4168, 05-4272 and 05-4282; and if necessary, take appropriate action in open session.
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27. Convene in executive session to discuss Case No. 07-385 before the Oklahoma Department of Environmental Quality, Land Protection Division, In the Matter of: City of Lawton Permit violation(s); pH; TSS Exceeded Permit Limits; Coliform, and if necessary, take appropriate action in open session. Exhibits: None. Page 145
28. Pursuant to Section 307B. 2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations between the City and the AFSCME employees group, and if necessary, take appropriate action in open session. Exhibits: None.
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ADJOURNMENT

"The City of Lawton encourages participation from all of its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at (580) 581-3305 at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. The City may waive the 48 hour rule if interpreters for the deaf (signing) is not the necessary accommodation."