

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
JANUARY 12, 2021 – 2:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Stan Booker, Mayor

Also Present:
Michael Cleghorn, City Manager
John Ratliff, City Attorney
Traci Hushbeck, City Clerk
COL Rhett A. Taylor, Fort Sill Liaison

Mayor Booker called the meeting to order at 2:00 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Charles Barnett, followed by the Pledge of Allegiance

ROLL CALL

PRESENT: Mary Ann Hankins, Ward One
Keith Jackson, Ward Two
Linda Chapman, Ward Three
Jay Burk, Ward Four
Allan Hampton, Ward Five
Sean Fortenbaugh, Ward Six
Onreka Johnson, Ward Seven
Randy Warren, Ward Eight

ABSENT: None

REPORTS: MAYOR/CITY COUNCIL

Tim Wilson, Deputy City Attorney, introduced John Ratliff, the new City Attorney.

Fortenbaugh encouraged everyone to go down and look at NW 78th Street which was in the first phase of the reconstruction roadway projects.

Hampton stated he appreciates the connection we have with Fort Sill and all the veterans we have in our community.

Burk reported that the Lawton Enhancement Trust Authority (LETA) is doing a project on the north end of Sheridan Road going out to Fort Sill between Rogers Lane and Smith. He stated all the medians are being landscaped by LETA as well as being donated by Bedrock Nursery. He stated he also did one for his company. He stated that if someone is interested in putting in a bed in some area of town, they would be happy to partner and make that happen. They are thankful for hotel/motel tax.

Mayor Booker stated there are so many positive things happening in this community and this is our opportunity to turn positive. Even though Covid numbers are high, he believes if citizens could just be disciplined for another 60 days as the vaccinations are rolled out, he feels we could get back to normal life

AUDIENCE PARTICIPATION: None

Mayor Booker stated he would like the council to address the Addendum next.

ADDENDUM:

1. Receive a presentation from Brandie Combs from the Comanche County Health Department for a request for the City to provide temporary assistance in helping the Health Department register citizens for COVID-19 vaccinations and potentially assist in other ways in the implementation of the vaccination process, and if desired approve the request for temporary assistance.

Brandie Combs, Director of the Comanche County Health Department, updated the council on the vaccination process. She stated every Tuesday the federal government sends an allotment to the state of Oklahoma. Based on that allotment it is broken up into districts. She stated she will find out today how much vaccine they have coming for next week and then they can build their schedules. She stated this week they had 2,000 vaccines coming which will cover Southwest Oklahoma. She stated they have vaccinated the first 16,000 people and they need help sustaining this effort. She stated communication and technology has become a challenge because now they are targeting the 65 and older category and some are having problems getting on the portal and scheduling an appointment. They are being overrun with phone calls. She stated they can only put out enough appointments for the vaccine that they have. She stated they need help getting the message out and helping people get through the portal to register and getting appointments.

Mayor Booker stated he feels that it is important that the City support the health department. He would like to see the council authorize the City Manager to work along with the attorneys and if there is an overtime expense involved, we can justify getting that from the economic development fund.

Burk questioned if they could use the library staff. Since we have some buildings closed down, could they use those employees.

Cleghorn stated the library is not completely closed but they could potentially provide assistance. The fire department could also provide some assistance. He did have some concerns about city staff providing services to citizens outside of the city of Lawton, but legal staff can look into that. He does believe we can help.

Burk stated we are Southwest Oklahoma, not just Lawton and he feels this is well within our ability to help our neighbors.

Hampton questioned if we are trying to expedite this vaccination process.

Combs stated it is not going to expedite anything, it is just going to meet the need for information. She stated they cannot move this any faster until they get the vaccine. She stated 2,000 doses a week will not get us very far. She stated this will hopefully lessen the frustration of our residents by helping with communication and technical assistance.

Johnson stated that if someone wanted to reach out, who do they need to contact.

Combs stated right now it would be her or Debra Johnson. All of their staff is out in the clinics. She stated they will train anyone who is willing to do this. She stated people can email her at comanchehd@health.ok.gov.

Burk suggested the county also be involved in this effort. He feels there are a lot of Lawtonians that would come and help. He feels they could staff a call center with volunteers more than anything.

MOVED by Burk SECOND by Warren to authorize the City Manager to move forward with temporary assistance. AYE: Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren, Hankins. NAY: None. MOTION CARRIED.

Mayor Booker requested the council address item #16 next since there were interested citizens in the audience.

16. Consider endorsing the concept of the Lawton Community Theatre occupying and maintaining the Lawton National Guard Armory as their future home, and encouraging them to organize, draft architectural plans, and raise funds to rehabilitate the structure for said use.

Billie Whipp, Arts and Humanities Administrator, briefed the council on Lawton Community Theatre and their search for a new home. They are requesting that council consider endorsing their concept of the National Guard Armory as their future home. The location is an ideal place for them.

Paul Greene, 806 NW 52nd Street, stated this would be a great opportunity for Lawton to shine.

Burk stated this is a great organization and they deserve to be able to use this facility and he supports this item.

Cleghorn stated the building is currently vacant and available except for a few items stored by Parks and Recreation Department. He stated it would need some work.

Chapman stated it is the grace of the volunteers who have produced quality theatre under the circumstances they have had to work with over the years. She applauds them for bringing this to the council.

Hampton stated he feels this is a great move and he supports it 100%.

Warren stated he is so happy they are willing to do this and that we will soon have some quality entertainment in that building.

MOVED by Burk SECOND by Chapman to endorse the concept of the Lawton Community Theatre occupying and maintaining the Lawton National Guard Armory as their future home. AYE: Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren, Hankins, Jackson. NAY: None. MOTION CARRIED.

CONSENT AGENDA:

Mayor Booker stated item #7 will be considered separately.

MOVED by Warren SECOND by Burk to approve the consent agenda with the exception of item #7. AYE: Burk, Hampton, Fortenbaugh, Johnson, Warren, Hankins, Jackson, Chapman. NAY: None. MOTION CARRIED.

1. Consider approval of the Lawton City Council meeting minutes of Decembeb15 and December 18, 2020.
2. Consider adopting a resolution approving the joint petition settlement and making payment in the workers' compensation claim of Britt Hubbard. **Resolution 21-35**
3. Consider approving the expenditure of \$10,583.70 in ADA Compliance Improvement Funds to provide for accessibility improvements at multiple city facilities.
4. Consider retiring Lawton Police Department's K-9 "Be" from service.
5. Consider accepting a donation of one thousand dollars (\$1000.00) by Lawton New Light United Methodist Church for the Lawton Fire Department as an appreciation to the department for their service and sacrifice to the Lawton community.
6. Consider amending one contract and three dental benefit program descriptions with Blue Cross Blue Shield of Oklahoma, changing end of coverage from "End of Month" to "Date of Termination" effective February 1, 2021 for eligible City of Lawton employees, and authorize the Mayor and City Clerk to execute the amendments.
7. Consider approving a resolution amending the City of Lawton FY20-21 budget, as amended, to increase FY20-21 revenue projections by \$11,813,636, and to appropriate \$2,347,297 for personnel services, materials, supplies, and other services and charges expenditures.

Kara Haynes, Finance Director, briefed the council on the amendment to the budget. They are recommending to appropriate \$2,347,297 for varying needs across the City. City management

met with each individual department to discuss their needs and requests through fiscal year end. She stated the bulk of the revenue is the CARES Act funding which was reimbursed by the state. The remaining balance is what they feel comfortable increasing several revenue sources which includes sales tax, use tax, general fund, water, refuse and sewer revenues.

Cleghorn briefed the council on the personnel services expenditures which accounts for \$444,166. The remainder goes to supplies, materials and other services.

MOVED by Burk SECOND by Warren to approve **Resolution 21-36** amending the City of Lawton FY20-21 budget, as amended, to increase FY20-21 revenue projections by \$11,813,636, and to appropriate \$2,347,297 for personnel services, materials, supplies, and other services and charges expenditures. AYE: Hampton, Fortenbaugh, Johnson, Warren, Hankins, Jackson, Chapman, Burk. NAY: None. MOTION CARRIED.

8. Consider adopting a resolution amending the City of Lawton FY 20-21 budget, as amended, by appropriating \$18,750.00 from a grant to the Arts & Humanities (A&H) Division from Oklahoma Arts and Cultural Industry Relief Grants.
9. Consider a request to pay a fee in lieu of on-site stormwater detention for the single-family residential building permit located at 3883 SW 67th Street in the amount of \$827.85
10. Consider accepting a temporary easement from Republic Paperboard Company LLC, for the right of way needed for the Pavement Rehabilitation Intersection of Neal Boulevard and Ard Street, Project No. 2019-04 and authorize the Mayor and City Clerk to execute the document.
11. Consider approving the construction plans for traffic signals at the intersection of NW Cache Road and NW 50th Street.
12. Consider awarding contract (CL21-012) Liquid Oxygen to Matheson Tri-Gas, Inc of Irving, TX.

NEW BUSINESS ITEMS:

13. Consider approving proposed Council Policy 3-5: Elected Official and Employee Interaction.

Warren stated this policy was put together by the Community Relations Director. He feels it really solves an issue that was a gray area. He does have a floor amendment to be added to #10 after the word discipline which states “Additionally, after the complaint is made and until any subsequent investigation concludes and/or the matter is closed, neither the complainant nor the accused will be required to attend any joint meeting together [i.e. a meeting where both the complainant and accused are present] where the complaint and/or possible resolutions thereto is the subject of the meeting, unless both parties voluntarily agree to do so.”

Burk stated across the state everyone is coming up with these types of things and the Oklahoma Municipal League is strongly recommending this as well. He feels this is a great policy for us to have.

Paul Greene, 806 NW 52nd Street, stated in the document he read it says that employees cannot speak out against elected officials. He believes this is in #7. This is against their freedom of speech and their ability to do citizen action. They should be free to speak in any form, shape or fashion.

Tiffany Vrska, Community Relations Director, stated #7 in full states “In accordance with Section 17-2-10-221 of Lawton City Code, no employee of the city while on duty or in uniform may work for or against, or attempt to influence, the nomination, election, or defeat of any candidate for mayor or councilmember, or the recall of the mayor or any councilmember; but this shall not prohibit the ordinary exercise of one's right to express his opinions and to vote.” She wanted to clarify that this is in accordance with Lawton City Code, which is law, so we are not infringing on anyone’s right to express their opinion.

Tim Wilson, Deputy City Attorney, stated item #7 states “while on duty”. While on duty there is a certain behavior that is expected of us as city employees.

MOVED by Warren SECOND by Burk to approve Council Policy 3-5 as amended. AYE: Fortenbaugh, Johnson, Warren, Hankins, Jackson, Chapman, Burk, Hampton. NAY: None. MOTION CARRIED.

14. Discuss and consider granting Lawton Public Schools a one-time temporary waiver (either in part or in full) of the City’s landfill tipping fees in relation to the disposal of used portable buildings owned by LPS at the City’s landfill.

Jack Hanna, Lawton Public Schools, stated they have approximately 100 classroom portables and they have identified 29 that need to be disposed of. Fees to dispose at the land fill are \$1,500 to \$1,800, depending on the size and the weight. This item is requesting the fees at the landfill be waived so they can dispose of the 29 portables.

Burk stated we want to get rid of these buildings that are in disrepair. He feels it makes good sense to be a good neighbor and waive these fees.

Hanna stated this would amount to approximately \$52,000 of in-kind services.

Hampton stated he assumed more would need to be disposed of in the future.

Hanna stated down the road they will potentially need to dispose of more, but these 29 are going to take some time.

Cleghorn stated that once they get through these 29 buildings, we can always agenda this item again to reconsider the action.

MOVED by Burk SECOND by Hankins to grant Lawton Public Schools a one-time temporary waiver of the City's landfill tipping fees. AYE: Johnson, Warren, Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh. NAY: None. MOTION CARRIED.

Mayor Booker stated item #15 will be stricken at the request of the City Attorney.

15. Consider an ordinance pertaining to vehicles and traffic, amending Section 23-5-524, Article 23-5, Chapter 23, Lawton City Code, 2015, defining the proper display of license tags, modifying documentation requirements for operators of vehicles, modifying abilities of law enforcement to enforce the display of tags, providing for severability, and declaring an effective date. **THIS ITEM WAS STRICKEN**

STAFF REPORTS:

Cleghorn stated there will be a new segment called Department Roundup where departments and divisions will present a short overview to familiarize the council and the citizens of the variety of things we do here.

Keith Neitzke, Superintendent, Parks and Grounds Division, briefed the council on the purpose of the parks and grounds division. (A copy of the presentation is on file in the City Clerk's office).

Warren questioned if this information will be available on the City's website.

Cleghorn stated yes.

There being no further business to consider, the meeting adjourned at 3:05 p.m. upon motion, Second and roll call vote.

STAN BOOKER, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK