

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
MARCH 13, 2007 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATION FOR MUNICIPAL GOVERNMENT WEEK

CONDUCT ELECTION OF MAYOR PRO TEM

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 SPECIAL MEETINGS OF JANUARY 16, JANUARY 30 AND MARCH 5, 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 claim recommended for approval and consider passage of the resolution authorizing the City Attorney to file a friendly suit for the claim which is over \$400.00: Southwestern Bell Telephone in the amount of \$887.11. Exhibits: Legal Opinion/Recommendation and Resolution No. _____. Page 1
2. Consider the following damage claims recommended for denial, Ruth Henkelmann in the amount of \$795.00 and Southwest Ready Mix in the amount of \$1,345.10. Exhibits: Legal Opinions/Recommendations. Page 6
3. Consider ratifying the action of the City Attorney in filing an appeal in the workers compensation case of Larry Burnison, Workers Compensation Court Case No. 2006-03962K. Exhibits: Resolution No. 07- _____. Page 11
4. Consider approving the proposal of Sapulpa Auto Pool to sell at auction a vehicle in their possession that has been obtained by the City of Lawton as part of settlement of the tort claim filed by John and Doris Hoffman, DC-2006-0089. Exhibits: Sapulpa Auto Pool Invoice and Proposal. Page 13
5. Consider approval of Cellular Service Funds to be spent to replace the radio and telephone recording system in the Communications Center. Exhibits: Memo from Emergency Communications Supervisor Derrell Morgan and Email from Information Technologies Supervisor Kevin Hall. Page 15
6. Consider approving the construction plans and specifications for an 8-inch sanitary sewerline to serve the Pizza Hut located at SE 45th Street and Lee Boulevard. Exhibits: Location Map. Page 18
7. Consider approving the construction plans and specifications for an 8-inch waterline to serve Southwest Ready Mix on SW Superior Circle. Exhibits: Location Map. Page 20
8. Consider approving the construction plans and specifications for an 8-inch sanitary waterline to serve the EZ Go Store located at 6439 NW Cache Road. Exhibits: Location Map. Page 22

9. Consider issuing a revocable permit for a parking lot to serve the Comanche Nation College located at 1608 SW 9th Street. Exhibits: Application and site plan. Revocable Permit on file in City Clerk's office. Page 24
10. Consider approving an agreement with Robert B. Hendrick & Sons Co. Inc. for professional engineering design services for the S.E. 45th Street Reconstruction (Lee to Gore) Project #2006-12. Exhibits: None. Page 27
11. Consider approving plans and specifications for the Lake Ellsworth Bypass Project #2004-2 and authorizing staff to advertise for bids. Exhibits: None. Page 28
12. Consider approving release agreements with Gaboon Roberts of 5710 NW Cedarwood Blvd and J.W. & Marcella Kennedy of 810 NW 44th Street for the partial reimbursement of installation expense of backflow prevention valves in accordance with Council Policy 6-3, and authorize the Mayor and City Clerk to execute the documents. Exhibits: Agreement between City of Lawton and Gaboon Sitti Roberts and an Agreement between City of Lawton and J.W. & Marcella Kennedy. Page 29
13. Consider acknowledging receipt of two permits from the Oklahoma Department of Environmental Quality for the construction of 7,154 linear feet of eight (8) inch PVC water line, 990 linear feet of twelve (12) inch PVC water line and 2,370 linear feet of eighteen (18) inch PVC water line, and 745 linear feet of fifteen (15) inch gravity sewer line, 1,063 linear feet of twelve (12) inch gravity sewer line and 6,541 linear feet of eight (8) inch sewer line and all appurtenances to serve the Oak Pointe Part 1, located in the SE/4 of Section 5, T-1-N, R-12-W, I.M., Comanche County, Oklahoma. Exhibits: Permits to Construct on file in the City Clerk's office. Page 34
14. Consider approving an Emergency Management Services Agreement between the Board of County Commissioners, Comanche County, and the City of Lawton, establishing the functions, location, terms, costs and expenses, operational budget, and responsibilities of the combined City/County Emergency Management Program and authorize the Mayor and City Clerk to execute the necessary documents. Exhibits: Emergency Management Services Agreement, FY 06-07 City of Lawton Emergency Operation Center Budget, FY 06-07 City of Lawton Emergency Operation Center Summary of Expenditures and FY 06-07 Comanche County Emergency Management Projected Budget. Page 35
15. Consider approving appointments to boards and commissions. Exhibits: None. Page 44
16. Consider approval of payroll for the periods of February 26 – March 11, 2007.

BUSINESS ITEMS:

17. Hold a public hearing and consider an ordinance changing the zoning from C-4 (Tourist Commercial District) to R-3 (Multiple-Family Dwelling District) zoning classification located at East Gore Boulevard and Warwick Way. Exhibits: Ordinance 07-__, Location Map, Site Plan, Application and CPC Minutes. Page 45

18. Consider the unexplained high water consumption and high bill received in February 2007 for the Catholic Community Center located at 911 NW Hilltop Drive and take appropriate action. Exhibits: Letter dated 2/23/2007 from Leo J. Meyer, Catholic Community Center. Page 57
19. Discuss prairie dog issue and take appropriate action if necessary. Exhibits: Verbatim Minutes of Lawton City Council meetings of July 11, 2006 and September 12, 2006. Page 60
20. Consider rejecting the low bid, awarding a construction contract to Howard Construction, Inc. and approving Change Order No. 1 for the West Cache Road 24” Waterline Phase II Project #2005-8. Exhibits: Location Map. Page 68
21. Consider ratifying the Lawton Economic Development Authority’s action which authorized the Chairman to execute a Revolving Line of Credit with BancFirst, Arvest and IBC Bank (BancFirst is lead bank) in the amount not to exceed \$9,500,000 providing initial financing of redevelopment activities for both the Phase IA Project and TIF related projects and take appropriate action as necessary. Exhibits: Executed Letter of Credit, Future TIF/Development Funds. Page 71
22. Consider an ordinance pertaining to maximum fines, amending Section 1-1-119, Article 1-1, Chapter 1, Lawton City Code, 2005, by increasing the maximum fine from Seven Hundred Fifty Dollars (\$750.00) to Eight Hundred Dollars (\$800.00) for all alcohol and drug related offenses, with Fifty Dollars (\$50.00) of the fine or deferral fee for each such offense deposited in a fund for enforcement of laws relating to alcohol and other intoxicating substances as required by State Law, providing for severability, and declaring an emergency. Exhibits: Ordinance 2007-____. Page 78
23. Consider an ordinance pertaining to offenses and crimes, creating Section 16-4-1-402.1, Division 16-4-1 Article 16-4, Chapter 16, Lawton City Code, 2005, which makes it unlawful to engage in protest activities at funerals, providing for severability, codification, and declaring an emergency. Exhibits: Ordinance 2007-____. Page 81
24. Consider an ordinance pertaining to prohibiting certain uses of the names or pictures of service members, creating Section 16-3-1-324, Division 16-3-1, Article 16-3, Chapter 16, Lawton City Code, 2005, which makes it unlawful to use the names and pictures of service members for commercial gain without their consent, providing for severability, codification, and establishing an effective date. Exhibits: Ordinance 2007-____. Page 84
25. Consider an ordinance pertaining to entitlement to a municipal jury trial, amending Section 9-3-301, Article 9-3, Chapter 9, Lawton City Code, 2005, by increasing the amount of possible fine that entitles a defendant to a jury trial from Two-Hundred Dollars (\$200.00) to Five-Hundred Dollars (\$500.00), providing for severability, and establishing an effective date. Exhibits: Ordinance 2007-____. Page 87
26. Consider an ordinance pertaining to bicycles, amending Section 23-18-1808, Article 23-18, Chapter 23, Lawton City Code, 2005, by deleting the requirement that bicyclists ride on pathways adjacent to the street instead of the street itself, providing for severability, and declaring an emergency. Exhibits: Ordinance 2007-____. Page 89

27. Consider an ordinance pertaining to overtaking a bicycle on the roadway, creating Section 23-5-546, Article 23-5, Chapter 23, Lawton City Code, 2005, which requires at least three (3) feet between the vehicle and bicycle, providing for severability, codification and declaring an emergency. Exhibits: Ordinance 2007-____. Page 91
28. Consider an ordinance pertaining to youth access to drugs and alcohol, creating Division 16-5-3, Sections 16-5-3-331 and 16-5-3-332, Article 16-5, Chapter 16, Lawton City Code, 2005, which makes it unlawful for a person to permit youth to possess or consume alcohol or drugs on the person's property, providing for severability, codification, and declaring an emergency. Exhibits: Ordinance 2007-____. Page 94
29. Consider an ordinance pertaining to vehicular turning movements in two-way left-turn lanes, creating Section 23-9-908, Article 23-9, Chapter 23, Lawton City Code, 2005, which limits the distance a vehicle may be driven in a two-way left-turn lane while preparing to turn to two hundred (200) feet, providing for severability, codification and declaring an emergency. Exhibits: Ordinance 2007-____. Page 97
30. Consider an ordinance adding Section 7-30-1-3006, Division 7-30-1, Article 30-1, Chapter 7, Lawton City Code, 2005, prohibiting tattooing or body piercing on certain persons, providing for severability, codification, and declaring an emergency. Exhibits: Ordinance 2007-____. Page 100
31. Consider an ordinance amending Section 23-1-102, Article 23-1, Chapter 23, Lawton City Code, 2005, which adds the definition of a construction zone, and adds Section 23-2-215, Article 23-2, Chapter 23, Lawton City Code, 2005, allowing fines for speeding to double in construction zones, providing for severability, codification, and declaring an emergency. Exhibits: Ordinance 2007-____. Page 103
32. Consider granting to authorize the Boys Scouts of America Last Frontier Council permission to hold their Centennial Camporee in Elmer Thomas Park on September 28-30, 2007. Exhibits: Letter of request from Last Frontier Council and Standard Non-Restricted Lease Agreement for Elmer Thomas Park. Page 111

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

33. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending Workers Compensation claim of Stephen Handy, and if necessary, take appropriate action in open session. Exhibits: None. Page 116

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."