

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
MARCH 25, 2008 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATION FOR NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK

STATE OF THE CITY ADDRESS BY MAYOR JOHN P. PURCELL, JR.

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 MEETING OF MARCH 11, 2008.

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: Diane Cates in the amount of \$5,635.06. Exhibits: Legal Opinion/Recommendation and Resolution No. 08-____. Page 1
2. Consider the following damage claim recommended for denial: William B. Stearns. Exhibits: Amended Claims Memorandum/Recommendation. Page 6
3. Consider approving a resolution authorizing the City Attorney to file a claim against Southwestern Bell Telephone, L.P., in the amount of \$21,009.83 for reimbursement of payment of a tort claim plus the cost to replace a segment of sewer main damaged by Southwestern Bell Telephone, L.P. Exhibits: Copy of Claims Memorandums DC-2007-0088 and DC-2007-0111 and Resolution No. 08-____. Page 10
4. Consider accepting and approving an addendum to an April 9, 2007 engagement letter for technical accounting and consulting services with the firm of Crawford & Associates, P.C., and authorize the Mayor and City Clerk to execute the addendum. Exhibits: March 12, 2008 addendum letter for services with Crawford and Associates, P.C. Page 18
5. Consider a Resolution approving indebtedness (The "Note" or "Notes") of the Lawton Water Authority in the amount of not to exceed \$28,000,000 in aggregate amount outstanding at any one time for the purpose of financing the BRAC related improvements to be financed with the proceeds of the 3/8TH cent sales tax approved by the voters on October 9, 2007; Waiving competitive bidding; approving documents including an agreement of support with the authority; and other matters relating thereto. Exhibits: Resolution No. 08-____ and Security Agreement. Page 21
6. Consider allowing the Parks & Recreation Department to Co-sponsor with the Lawton Athletic Foundation Inc. a series of softball/baseball tournaments for the year 2008. Exhibits: None. Page 30
7. Consider approving the construction plat for Scissortail Development subject to conditions. Exhibits: Plat Map. Page 31

8. Consider adopting a Resolution authorizing the installation of traffic control measures at the following intersections: NE 34th St. at E Gore Blvd.; SW 45th St., SW Beta Ave., SW Atom Ave., SW 50th St., SW Country Club Dr., and SW 51st St. all at SW 52nd St.; SW Lee Blvd. at SW 82nd St.; SW Bishop Rd. and SW Tennessee Ave. both at SW 11th St.; SW N.H. Jones Ave. at SW Sheridan Rd.; SW Lee Blvd. at SW 17th St.; NW Ft. Sill Blvd. at NW Cache Rd.; SW Roosevelt Ave. at SW 8th and SW 10th St.; SW Douglas Ave. at SW 8th and SW 10th St. Exhibits: Traffic Commission Minutes, Traffic Issue Requests, and Resolution No. 08-_____. Page 34
9. Consider accepting the West Cache Road 24” Waterline Phase II Project #2005-8 as constructed by Howard Construction, Inc. and placing the Maintenance Bond into effect. Exhibits: None. Page 54
10. Consider authorizing payment of \$500.00 to David Scott for a tenant release needed for the NW 67th Street Reconstruction (Cache Road to Rogers Lane) Project #2003-7. Exhibits: Tenant Release Form. Page 55
11. Consider granting a permanent utility easement and a temporary construction easement to Comanche County Rural Water District #1 and authorizing the Mayor and City Clerk to execute the documents. Exhibits: Request Letter, Location Map. Easements are on file in the City Clerk’s Office. Page 57
12. Consider approving plans and specifications for the Medicine Park Water Treatment Plant Administrative Building Re-roofing Project #2008-8 and authorizing staff to advertise for bids. Exhibits: None. Page 60
13. Consider accepting warranty deeds and easements from property owners for right of way needed for the NW 67th Street Reconstruction (Cache Road to Rogers Lane) Project #2003-7, authorizing the Mayor and City Clerk to execute the documents and authorizing payments for same. Exhibits: Settlement Table. Documents are on file in the City Clerk's office. Page 61
14. Consider accepting the Lake Ellsworth Bypass Project #2004-2 as constructed by Bowles Construction Company and placing the Maintenance Bond into effect. Exhibits: None. Page 63
15. Consider awarding a construction contract to Luckinbill, Inc. for the NW 67th Street (Cache to Rogers Lane) Water Line Relocation Project #2008-7. Exhibits: None. Page 64
16. Consider extending the contract (CL07-045) Jail Food & Supplies with Indian Nation Wholesale of Durant, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 65
17. Consider extending the contract (CL07-033) Nuisance Abatement-East Side with Charlie’s Backhoe & Demolition of Sterling, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 71

18. Consider awarding (CL08-043) Alternate Daily Cover (ADC) to Landfill Service Corporation of Apalachin, NY. Exhibits: Department recommendation, abstract of bids. Page 75
19. Consider awarding (CL08-041) Self-Contained Breathing Apparatus (SCBA) to Wayest Safety Inc. of Oklahoma City, OK. Exhibits: Department recommendation, abstract of bids. Page 81
20. Consider approving appointments to boards and commissions. Exhibits: None. Page 84
21. Consider approval of payroll for the period of March 10 - 23, 2008.

BUSINESS ITEMS:

22. Consider approving the 2008/2009, contract between the City and the AFSCME employees group. Exhibits: March 4, 2008 Email from John Breit. Page 85
23. Consider an ordinance amending Section 22-1-4-141, Division 22-1-4, Article 22-1, Chapter 22; Sections 22-4-1-403, 404 and 410, Division 22-4-1, Article 22-4, Chapter 22, Lawton City Code, 2005, by establishing standards for refuse curbside pickup, providing for severability, and declaring an emergency. Exhibits: Ordinance 08-____. Page 87
24. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, to increase the fee for special collection of refuse and establish an effective date. Exhibits: Resolution 2008-____. Page 94
25. Consider accepting Vision 2030 as presented by the Mayor's Strategic Direction Task Force. Exhibits: None. Page 97
26. Receive a presentation from Public Works outlining infrastructure improvements for the approved 2008 CIP and setting priorities for those improvements. Exhibits: Presentation at the meeting. Page 98
27. Consider an ordinance amending Section 16-4-1-401, Division 16-4-1, Article 16-4, Chapter 16, Lawton City Code, 2005, by including public urination as a disturbance of public peace, providing for severability, and declaring an emergency. Exhibits: Ordinance 08-____. Page 99
28. Consider an ordinance amending Section 16-6-1-612, Division, 16-6-1, Article 16-6, Chapter 16, Lawton City Code, 2005, making it unlawful for any person to affix on his or her motor vehicle, either temporarily or permanently, any insignia typically used by a law enforcement agency for the purpose of causing any other motor vehicle operator to yield the right-of-way and stop, or actually causes any other motor vehicle operator to yield the right-of-way and stop, providing for severability, and declaring an emergency. Exhibits: Ordinance 08-____. Page 102
29. Consider an ordinance amending Section 23-5-521, Article 23-5, Chapter 23, Lawton City Code, 2005, by providing that a driver's license shall be in motor vehicle operator's immediate possession at all times, providing for severability, and declaring an emergency. Exhibits: Ordinance 08-____. Page 105

30. Consider an ordinance amending Section 23-16-1602, Article 23-16, Chapter 23, Lawton City Code, 2005, by providing that the driver of a vehicle which is involved in an accident which causes property damage shall take reasonable steps to locate and notify the owner or person in charge of such property damage and shall, upon request, exhibit a driver's license and security verification form, providing for severability, and declaring an emergency. Exhibits: Ordinance 08-____. Page 108
31. Consider adopting an ordinance pertaining to offenses and crimes, creating Section 16-5-1-543, Division 16-5-1, Article 16-5, Chapter 16, Lawton City Code, 2005, by (1) prohibiting any person from willfully bypassing a security checkpoint, (2) prohibiting any person from assisting another in bypassing a security check point, (3) providing for a penalty for such violations and (4) further providing for severability, codification and establishing and effective date. Exhibits: Ordinance 08-____. Page 111
32. Consider adopting an ordinance pertaining to vehicles and traffic by (1) amending the title of Article 23-17A, Chapter 23, Lawton City Code, 2005, to include a reference to all-terrain vehicles, (2) amending the title of Section 23-17A-1750, Article 23-17A, Chapter 23, Lawton City Code, 2005, clarifying that the section pertains solely to electric gopeds and electric personal assistive mobility devices, (3) creating Section 23-17A-1751, Article 23-17A, Chapter 23, Lawton City Code, 2005, by regulating the passenger limitation and helmet requirement for all-terrain vehicles, (4) amending Section 23-1-102, Article 23-1, Chapter 23, Lawton City Code, 2005, by amending the definition of an all-terrain vehicle, (5) providing for severability, codification, and establishing and effective date. Exhibits: Ordinance 08-____. Page 114
33. Consider an ordinance creating Section 16-6-1-620, Division 16-6-1, Article 16-6, Chapter 16, Lawton City Code, 2005, by (1) prohibiting any person from impeding another person's passage through a municipal building, (2) providing a penalty for such violations and (3) further providing for severability, codification and establishing an effective date. Exhibits: Ordinance 08-____. Page 118

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

34. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the lawsuit in the City of Lawton vs. IUPA Local 24, Case No. CJ-2007-757, and take appropriate action in open session if necessary. Exhibits: None. Page 121
35. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review the employment of Larry S. Mitchell as City Manager, and in open session take other action as necessary. Exhibits: Employment Agreement Summary. Page 122

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."

