

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
APRIL 24, 2007 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF CITIZEN OF MONTH FOR APRIL

PRESENTATION OF PROCLAMATION FOR FLOOD AWARENESS MONTH

PRESENTATION FROM TONY POKORNEY REGARDING CLEAN UP PROGRAM

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.

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 resolutions authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Toni and David Kerr in the amount of \$4,216.99, Yvonne and Paris Grayson in the amount of \$399.96, Cassandra and Scott Holst in the amount of \$7,153.71, and Prudential Moeller & Associates Real Estate on behalf of Vernon and Viola Cooper in the amount of \$265.38. Exhibits: Legal Opinions/Recommendations Resolution 07-___ and Resolution 07-___. Page 1
2. Consider the following damage claims recommended for denial, Jennifer McWilliams in the amount of \$263.33, Michael and Nina Phillips in the amount of \$1,250.07, Southwestern Bell in the amount of \$537.87, Clarence and Janet Smith in the amount of \$2,963.37 and Ralph and Anness Wilson in the amount of \$7,158.67. Exhibits: Legal Opinions/Recommendations. Page 14
3. Consider authorizing the Fire Department to accept a phased grant from the State Office of Homeland Security for the purpose of purchasing/accepting a fully equipped Technical Rescue Trailer (TRT), auxiliary rescue equipment, and tow vehicle. Exhibits: None, (the tow vehicle Specs from the Office of Homeland Security are available in City Clerks Office for review). Page 29
4. Consider accepting donation of funds donated by Wal-Mart, 1002 NW Sheridan Road, for Lawton Police Department Gang Unit. Exhibits: None. Page 30
5. Consider adopting a Resolution to grant permission to the Lawton Constitution and KSWO TV to use the Official City of Lawton Seal with news stories and news articles involving the City of Lawton and authorizing the Mayor and City Clerk to execute the necessary associated documents. Exhibits: Resolution 07-___. Page 31

6. Consider adopting a resolution authorizing the Mayor and the City Clerk to execute an agreement for utility cost sharing with the Oklahoma Department of Transportation (ODOT) for improvements to I-44 at Medicine Bluff Creek, Federal Aid Project Number BHIY-0044-1(069)043. Exhibits: Resolution 07-____, ODOT letter dated March 29, 2007. Project Agreement is on file in the City Clerk's office. Page 33
7. Consider accepting the Water Storage Tank Roof Repair Project #2006-14 as constructed by Luckinbill, Inc. and placing the Maintenance Bond into effect. Exhibits: None. Page 38
8. Consider rejecting the bid proposal for the Numu Creek Tree Disposal Project #2006-15. Exhibits: None. Page 39
9. Consider approving Amendment #1 to the Retainer Agreement with Chiang, Patel & Yerby, Inc. (CP&Y) for professional engineering services to include traffic engineering services. Exhibits: Amendment #1 to the Retainer Agreement. Page 40
10. Consider setting a date of June 12, 2007, to hold a public hearing and consider an ordinance closing a portion of a public utility easement on the side of Lot 2, Block 32, Wyatt Acres Addition, Part 14, also known as 612 NW Micklegate Boulevard. Exhibits: Application, Location Map, Survey, Council Policy 5-1. Page 42
11. Consider approving the construction plans and specifications for NE 34th Street and a 10" waterline to serve the Independence Place Apartment project located on East Gore Blvd. Exhibits: Location Map. Page 48
12. Consider acknowledging receipt of two permits from the Oklahoma Department of Environmental Quality for the construction of 2,528 linear feet of ten (10) inch PVC water line and 5,500 linear feet of eight (8) inch PVC water line; and 1,900 linear feet of ten (10) inch PVC gravity sewer line and 7,712 linear feet of eight (8) inch PVC gravity sewer line, and all appurtenances to serve The Highlands Addition Phase I and II, located in the SW/4 of Section 3, T-1-N, R-12-W, I.M., Comanche County, Oklahoma, (NE corner of 52nd & Bishop). Exhibits: Permits to Construct on file in the City Clerk's office. Page 50
13. Consider extending the contract (CL05-042) Mowing & Litter Contract II with Teen Challenge of Cache, OK, for Areas G & H, and with WFS Service of Lawton, OK, for Areas D, E, I, J, K. Exhibits: Department Recommendation, Price Bid Sheets, Contract Extension Forms. Page 51
14. Consider extending the contract (RFPCL06-023) Cellular Telephone Service with Sprint Nextel Corporation of Oklahoma City, OK. Exhibits: Department Recommendation, Price Bid Sheets, Contract Extension Form. Page 57
15. Consider awarding (CL07-035) Street Sweeper to Frontier Equipment Sales, LLC, of El Reno, OK. Exhibits: Department Recommendation, abstract of bids. Page 63

16. Consider awarding (CL06-042) Library Book Contract to the following vendors: 1) Davidson Titles, Inc., Jackson, TN – Items 1-3, 6-7, 11, 14-18, 22-28, 31 2) (The Gale Group), Farmington Hills, MI – Items 2-4, 6-7, 13, 15, 21, 23-24, 3) HW Wilson, Co., Bronx, NY – Item 15, 4) Penworthy Co., Milwaukee, WI – Items 22-24, 5) Publishers Quality Library Service, Crete, IL – Items 24-25 6) Recorded Books, Inc., Prince Frederick, MD – Items 26, 31, 7) Regent Book Co., Lodi, NJ – Items 1-9, 11-12, 14-24, 26-28, 31-32, 8) Rourke Publishing LLC, Vero Beach, FL – Items 24, 32, 9) Salem Press, Inc., Hackensack, NJ – Item 15, 10) Scholastic Library Publishing, Inc., Danbury, CT – Items 3, 6, 11, 15, 22, 24, 26, 27, 28, 31 and 11) Waldenbook Inc./Borders, Inc., Ann Arbor, MI – Items 1-9, 11, 12, 14-26, 28, 31. Exhibits: Department Recommendation and Abstract of Bids. Page 69
17. Consider approving appointments to boards and commissions. Exhibits: None. Page 85
18. Consider approval of payroll for the period of April 9 – 22, 2007.

BUSINESS ITEMS:

19. Hold a public hearing to consider the Consolidated One-Year Action Plan for FFY 2007, receive input from citizens, and provide input for development of the plan. Approve the plan and pass a resolution authorizing the execution of the plan and authorizing the Mayor and City Clerk to execute the implementing documents necessary to implement the Consolidated One-Year Action Plan for FFY 2007. Exhibits: City Planning Commission minutes of April 12, 2007. A copy of the Consolidated One-Year Action Plan for FFY 2007(Draft) is on file at the City Clerk's Office. Page 86
20. Hold a public hearing and consider a resolution amending the 2025 Land Use Plan establishing the designation of Agriculture and an ordinance changing the zoning from Temporary A-2 (Suburban District) to A-2 (Suburban District) zoning classification located at the northeast corner of NE 45th Street and NE Cache Road. Exhibits: Resolution 07-___, Ordinance 07-___, Location Map, Applications, CPC Minutes. Page 93
21. Hold a public hearing and consider a resolution amending the 2025 Land Use Plan establishing the land use designation of Industrial and an ordinance changing the zoning from Temporary A-1 (General Agricultural District) and Temporary I-1 (Restricted Manufacturing and Warehouse District) to I-4 (Heavy Industrial District) zoning classification located south of SW Lee Boulevard, west of SW 112th Street. Exhibits: Resolution 07-___, Ordinance 07-___, Location Map, Applications, CPC Minutes. Page 101
22. Consider requesting staff contact Burlington Northern Railroad officials and Oklahoma Corporation Commission regarding abatement of railroad right of ways. Exhibits: Memorandum from Neighborhood Services Supervisor. Page 111
23. Consider rejecting the only bid for (RFPC07-027) Robinson's Landing Concession, which was received from Sagebrush Properties, LLC of Lawton, OK, as non-responsive. Exhibits: Department recommendation. Page 113

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

24. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the case styled IUPA Local 24 and Anthony Aguilera vs. The City of Lawton, Case No. FMCS 070104-52529-8, and if necessary, take appropriate action in open session. Exhibits: None. Page 115
25. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending tort claim by Job VanWagner and take action in open session as necessary. Exhibits: Page 116
26. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending investigation, Conditional Administrative Order, and Notice of Right to be Heard issued by the State of Oklahoma Department of Agriculture, Food, and Forestry, file No. 07-122 DLS, involving the City of Lawton, and if necessary, take appropriate action in open session. Exhibits: None. Page 117

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."