

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
MAY 24, 2016 – 6:00 P.M.
NEW CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Fred L. Fitch, Mayor
Presiding

Also Present:
Jerry Ihler, City Manager
Frank V. Jensen, City Attorney
Traci Hushbeck, City Clerk

Mayor Fitch called the meeting to order at 6:03 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Minister Dwain Hall, Get the Word Out, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT:

Bob Morford, Ward One
Keith Jackson, Ward Two
Jay Burk, Ward Four
Dwight Tanner, Jr., Ward Five
Cherry Phillips, Ward Six
V. Gay McGahee, Ward Seven
Doug Wells, Ward Eight

ABSENT:

Rosemary Bellino-Hall, Ward Three

PROCLAMATION FOR FLOOD AWARENESS MONTH

Mayor Fitch proclaimed the month of May as Flood Awareness Month.

Larry Wolcott, Public Works Director, stated that since we choose to participate in the national flood insurance program, every Lawton resident has the ability to purchase flood insurance whether you are inside the flood plain or outside the flood plain.

AUDIENCE PARTICIPATION:

Jeremy Rhymes, 1702 NW Oak Avenue, stated the owner of the Frozen Monkey could not make it to the meeting and he just wanted to know what was going on, they hadn't had an update from the City in about a month.

Ihler stated staff was directed to bring the ordinance back to council with the issue as it related to the change of use. They have had a couple of meetings but it was tabled for 60 days and that was just a couple meetings ago.

CONSENT AGENDA

Mayor Fitch stated item #6 will be stricken from the agenda.

MOVED by Burk SECOND by Jackson to approve the consent agenda with the exception of item #6. AYE: Morford, Jackson, Burk, Tanner, Phillips, McGahee, Wells. NAY: None.
MOTION CARRIED.

1. Consider the following damage claims recommended for approval: Robin Shelton in the reduced amount of \$5,780.03 (**Res. 16-36**) and Southwestern Bell Telephone, dba AT&T Oklahoma in the reduced amount of \$7,380.94 (**Res. 16-37**). Exhibits: Legal Opinions/Recommendations, Resolution 16-___ and Resolution 16-___.
2. Consider the following damage claims recommended for denial: Jesse and Sarah Cobb in the amount of \$1,250.00, and Linda Wilson and Beverly Perry, through their Attorney, DanielDelluomo in the amount of \$500,000.00. Exhibits: Legal Opinions/Recommendations.
3. Consider accepting a \$4,100.00 donation to the Library from the Friends of the Library to be designated for library-related activities, electronic tablets, and computer lab supplies. Exhibits: None.
4. Consider accepting from OK Department of Homeland Security an equipment grant, specifically a Smith Detection Radseeker Radiation monitor, and approve the acceptance of all remaining phases of the OK DHS grant program Regional Response System. Exhibits: None.
5. Consider allowing the Parks & Recreation Department to co-sponsor with the Lawton Amateur Softball Association (LASA) a softball tournament on June 18th, 2016. Exhibits: None.
6. Consider approving the renewal of the annual agreement between the Center for Creative Living Corporation and the City of Lawton for services to senior citizens. Exhibits: Center for Creative Living Agreement. **STRICKEN**
7. Consider ratifying the actions of the City Manager approving the emergency repair of the City Hall Annex Building by Clayco Industries, Inc. (Ford Roofing & Sheet Metal Co.) utilizing the State of Oklahoma's Construction and Properties Division project contract, as permitted by Title 61, Okla. State., Section 103 E. and implementing regulations, and authorize acceptance of the improvements and placing the Maintenance Bond into effect. Exhibits: None.
8. Consider approving an amendment to the Agreement for Resident Inspection Services contract with Edward Tahah, LLC for construction inspection services associated with Sewer System Rehabilitation Program to include the new construction of Nine Mile Creek Sewer System, Phase I. Exhibits: Proposed Amendment No. 1 to the Agreement for Resident Inspection Services. The original Agreement for Resident Inspection Services dated October 26th, 1999 is on file in the City Clerk's office.

9. Consider accepting the waterline, sanitary sewer line, easement, maintenance bond, and an escrow agreement for minor incomplete improvements to serve Cache Road Professional Center located at 5103-5131 NW Cache Road. Exhibits: Location Map. Maintenance Bond, Escrow Agreement, and Easement are on file in the City Clerk's office
10. Consider authorizing staff to prepare a Request for Proposal (RFP) for a workforce management system, to include online time and attendance, Human Resources Information System, and an online application system. Exhibit: None.
11. Consider awarding a contract for the City of Lawton's Employee Dental Insurance to Delta Dental and authorize the Mayor and City Clerk to execute the contract. Exhibits: Delta Dental Agreement. Benefit and Cost Analysis on file in the City Clerk's Office.
12. Consider awarding a contract for the City of Lawton's Employee Vision Insurance to Vision Service Plan (VSP) and authorize the Mayor and City Clerk to execute the contract. Exhibit: Vision Service Plan Agreement. Benefit and Cost Analysis on file in the City Clerk's Office.
13. Consider awarding a contract for the Group Health Administration Services, Stop/Loss Administration and Cobra Administration Services to Blue Cross and Blue Shield of Oklahoma. Exhibit: BCBS Agreement. Benefit and Cost Analysis on file in the City Clerk's Office.
14. Consider extending the contract for AT&T Long Distance Service Agreement. Exhibits: Contract on file in City Clerk's Office.
15. Consider extending contract (RFPCL15-047) Concession Operations Ahlshlager Park to Lawton Evening Optimist of Lawton, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
16. Consider extending contract (RFPCL14-041) Property Insurance to North American Insurance Agency dba Insurica of Lawton, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
17. Consider awarding contract (CL16-023) Police Detective Sedans to Billingsley Ford of Lawton, OK. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.
18. Consider extending contract (RFPCL14-045) HVAC Services to Johnson Control of Oklahoma City, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
19. Consider awarding contract (CL16-024) Solo Certified Traffic Law Enforcement Motorcycle to Specialty Recreation & Marine of Coeur D'Aleve, ID. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.
20. Consider extending contract (CL13-031) Nuisance Abatement – East Side to JM Lawn Services of Lawton, OK for an additional sixty (60) days. Exhibits: Department recommendation, Contract Extension Form, Price Sheet.

21. Consider awarding contract (CL16-025) 1 Ton Regular Cab Chassis Truck Flat Bed to Billingsley Ford of Lawton, OK. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.
22. Consider approving appointments to boards and commissions. Exhibits: None.
23. Consider approval of payroll for the periods of May 9-22, 2016.

NEW BUSINESS ITEM:

24. Hold a public hearing and consider an ordinance amending Section 18-5-9-591 of the Lawton City Code adding day care center as a permitted use in the C-2 Planned Neighborhood Shopping Center District. Exhibits: Ordinance No. 16-__.

Debbie Dollarhite, stated recently a request was submitted to construct a day care center on property zoned C-3 Planned Community Shopping Center District. Day care centers are permitted uses in C-1 Local Commercial District and are therefore permitted uses in C-4 Tourist Commercial and C-5 General Commercial Districts. C-2 Planned Neighborhood Shopping Center and C-3 Districts do not include all of the permitted uses in C-1. Day care centers are not permitted uses in C-2 or C-3. There has been some confusion in the past which has resulted in some day care centers being permitted in C-2 and C-3 districts. The proposed ordinance would add day care center as a permitted use in C-2, which would also allow day care centers in C-3.

Phillips questioned what was in C-2 and C-3 now.

Dollarhite stated they are planned shopping center districts so they are mainly retail shops. But we do have several areas of town that are zoned C-2 and C-3 that are not developed as your traditional shopping center.

Phillips stated so day care centers would be confined to C-2 or C-3.

Dollarhite stated they would be allowed in every commercial district that we have. Right now they are permitted in C-1, C-4 and C-5, but not C-2 and C-3.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Burk SECOND by Jackson to adopt **Ordinance 16-16**, waive the reading of the ordinance, read the title only. AYE: Morford, Jackson, Burk, Tanner, Phillips, McGahee, Wells. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 16-16

An ordinance amending section 18-5-9-591, Lawton City Code, 2015, by adding day care center as a permitted use within the C-2 Planned Neighborhood Shopping Center District; and providing for severability and establishing an date of thirty days from today.

25. Consider conducting a public hearing to receive input from the citizens of Lawton regarding the City of Lawton's proposed budget for Fiscal Year 2016-2017, and, after due consideration of the City Manager's proposals and citizens' input thereon, provide direction to finalize the budget or take action to approve the budget (with any revisions) by Resolution as deemed appropriate. Exhibits: Budget Resolution No. 16-___. FY2016-2017 Preliminary Budget on file in the City Clerk's office and previously distributed to Council.

Ihler stated the issue discussed at the last workshop that dealt with the three part time police officer positions, they needed to get an updated MOU with the police union and restructure it so that it worked well for the chief with regards to what those employees do. They did get a signed MOU today and so they are adding those three positions back into the budget.

PUBLIC HEARING OPENED

Jeremy Coe, (no address given), stated he is concerned about the police furloughs. They are barely making it as it is and the furlough will make an impact on the officers that are on the streets now. If hours are cut they will not be able to protect the city like they should. He is asking that they not take away their time and reconsider the furloughs.

John Hoffman, 310 NW 63rd, stated he understands the revenue is down, but he questioned why there is a city code that could bring in revenue but it is not being enforced and has not been enforced for years. He is talking about the alarm code. He stated a list of false alarms is not being submitted to the police and after 3 false alarms the offending residence or business is supposed to be fined and that is not being done.

Ihler stated a month or so ago he asked staff to look at that part of the code and there should be something at the next meeting as it relates to some additional revisions to that code.

Mr. Hoffman questioned if they are looking at other cities that have a policy where you register your alarm for a certain fee.

Ihler stated the draft ordinance does incorporate permit fees for the alarm system as well as fees associated with false alarms. He stated it should be on the agenda at the next meeting.

Mr. Hoffman stated the police furloughs would negatively affect the officers on the street as well as the citizens because they will have to wait longer for a responding officer.

Randy Warren, 6513 NW Columbia, stated he is concerned about the two day furlough for police officers. The police are understaffed and the council wants to cut coverage even more. He stated with the new public safety tax there has been no real increase in the number of officers on the street and our seasoned officers are leaving. He stated the council promised enhanced safety with the hiring of more officers if the citizens passed the public safety tax and in the next budget they begin to institute furloughs of officers on the street. It is underhanded and unethical. He stated the fine and bond revenue increases in this proposed budget by \$500,000 and do they really think they will get close to that when every officer is furloughed for two shifts. The

citizens have mandated that police on the street is the priority. The council should have held public meetings to discuss each activity in the budget starting with police followed by fire and communications and when those were funded properly in a manner where no officers on the street were furloughed, they could then talk about the other activities the city has to budget for. The governing body should not bait and switch the citizens they represent.

Ihler stated they got to the position where they could not fund the step increases for the police or the general employees and they started looking at what they could do. He stated if they could they wanted to give everyone their step increases. A furlough of 16 hours would be 0.75% of their pay. The minimum step increase would be 2.5% and for some it is a 5% increase. They were able to fund a step increase for all the employees by furloughing two days. They would utilize two days for furloughs, the Friday before Christmas and the Friday before Memorial Day. If there is a greater expenditure than they anticipate they may not have to do that day in May. The feedback they received was that this was preferable because the step increase is long term and the employee would still come out ahead. He understands that this was also discussed during the police negotiations.

Wells stated he would hope that between now and December and May the revenue would pick up and we will not have to do furlough days. He stated there are some employees that are topped out on steps and they will actually have two days of lost pay. He feels they need to do everything they can to fund those days if possible. He stated we have had three or four bad years where revenue has been flat and through staff and council efforts we have reduced a little over 50 employees within the city and they are doing everything they can to keep the budget under control and tough decisions have to be made. They are cutting 21 positions this year, both general employees and fire.

Ihler stated they are hoping we have a better year on the water revenue side. We are down around 20% with regards to water revenue. If that would pick up during the summer months they could look at reducing the furlough days.

Burk stated we have to stop depending on the water sales as part of guaranteed revenue because we not guaranteed anything. Those numbers kept increasing every year and then we hit the drought and now we are in a pinch. When you depend on two sources of revenue you have a major shortfall. He feels the staff has done a great job in figuring out how to minimize the amount of lost revenue. He is thankful that we have a public safety tax that can help offset some expenditures and help in some ways with bonuses. He does not know any business man that can say that they lost 20% to 25% of their revenue and they can keep performing at the same level without making some sort of drastic changes in their business plan, and that is where we are at as a city.

Jackson stated when management began the budget process the council was told there was a \$9 million a difference between revenue and expenses. Staff did some budget adjustments but there was still \$6.2 million difference. He feels management did a great job in balancing this budget. In addition to the 25% deficit in water sales, now monthly sales tax revenue are at a deficit. This month alone our sales tax revenue is down \$150,000. Mr. Ihler and his staff have done a great job in pulling this together and saving as many jobs as he can.

Walter Berry, 1005 SE Sullivan Drive, stated \$68,629,186. He stated 68% of which was said to go to public safety. He stated the people of Lawton voted on that amount and they were promised safety and now they are being told that was being taken away with furloughs. Why are we spending money on a business to come in and tell us how to bring new business in. He stated a 2% decrease is a lot of money when you are used to a certain amount. The officers are going call to call on their shift without a break and having to stay over to the next shift because there is no one there to replace them. They take time away from their personal lives. He does not feel the citizens are getting the safety they were told they would get. He stated he heard that Fire Station #1 is now being added to the public safety facility. That is taking away from the police department, but we need to find other money that does not take away from the general employees and our safety. He hopes that the council remembers that we vote them in to take care of us. We want to feel safe and he does not feel safe right now.

Mayor Fitch stated the retail group that is coming is will be paid from hotel/motel tax money out of the economic development reserve fund. He stated out of the \$68 million, about \$29 million is compensation adjustments and the building is included in all of that. There is \$5 million allocated for the fire station. When they started this they thought they could acquire land next to the fire station, but that was not going to work and then they realized the floor was caving in on the 80 year old station. We still cannot put money into that building. They looked at partnering with the county to add onto the current jail, but that could not be worked out because the county has no money. They decided to look at the land we owned on Railroad, take the \$5 million for Fire Station #1 and put the money into that project and have something where all the public safety facilities all together in one campus. The estimated costs have come in much higher and if they wait it will cost that much more. He stated he appreciates the comments but this is a tough job and staff has done an excellent job putting the budget together.

Wells stated the \$68 million is over 11 years, it is not something we have available now.

Mayor Fitch stated there are a lot of citizens that use tax exempt cards in this town and that affects our revenue from a sales tax standpoint.

Jackson stated not one penny of the \$68 million is going to where it should not be going. Of that \$68 million, \$29,600,000 is going to the public safety facility for the police, municipal court and the jail facility. The fire station has its own money of \$5 million, so they are not taking one dime away from the construction, design or size of the police station, courthouse or jail. He stated the funding for the fire station is coming in less than the \$5 million. The problem with the design numbers is that the estimated cost when they were putting the number together was for a multiplier of \$250 per square foot on construction of commercial buildings. That was the best known figure, but since then they have found that \$268 is the cost of construction of the police building and municipal court building. The jail facility is coming in at \$380 a square foot. That jail facility is now costing \$11 million and that wasn't budgeted originally at that kind of money. The cost of the pay enhancement for the officers is in contract negotiations. We are learning a lot about how to do this and staff is doing a pretty good job. All the numbers are public and the design costs are here. He is confused why people are saying that the money is not going where it is supposed to be going.

Mr. Berry stated the last item on the public safety tax says an additional safety personnel costs. He just knows the numbers as far as that goes.

Jackson stated a handful of people designed the public safety sales tax extension program and they heard the need for additional police officers on the streets. They are going to add 18 additional police officers to staff. We are into a situation with a turnover and retirement problem, not unlike other communities. The council is aware of the problem and they are trying. They have authorized two academies per year now trying to get caught up. He stated once they get the manning level back to balance then they can hire the 18.

Mr. Berry stated if those officers are leaving, what happens to their pay that is already in the budget, does that money disappear?

Wells stated the furlough days are not calculated in the personnel cost. The \$29 million for salaries is over 11 years at \$2.6 million a year. He stated we have budgeted this year to add 9 officers above the 181 they had, hopefully with two academies we will get full staff plus 9 additional and we have the 12 firemen that will be hired for fire station #8. The firemen will be about \$600,000 a year. The 9 police officers will be \$450,000 when we get to the full 18 it will be \$900,000 starting salary. Out of that \$2.6 million, \$1.5 million is used up right there. Out of that \$2.6 million, every year after that they get their 5% pay increases and that has to come out of that. What's left over is what we have available for the rest of the police officers, which is what we did this year with bonuses. We are negotiating with them for next year and they will get some more money. There is not money in the budget for those furlough days. We are hoping that revenue starts coming in. There is not hidden money and all that money will go to the police and fire departments. Across the country people are having trouble getting qualified applicants.

Burk stated there is a misconception about general fund compared to the public safety tax. The public safety tax is the best thing that has happened to this community. He stated police and fire got a \$2,500 bonus this year and they will get it again next year. That money is set aside for that purpose. At some point down the road citizens are going to have to decide what percent they want to put into a public safety tax ten years from now. If you give it in pay you can't take it back. When this is over with, the general fund will have to support this public safety tax we have. You have to think about how we will absorb those costs if this public safety money is not renewed. There is a huge misconception on how that money is to be used and you can just throw the money into the general fund, it just can't happen. They have tried to find a way to not have a furlough day. He doesn't know what the citizens are willing to give up. We can't even buy materials to get the roads fixed. What else do you cut?

Phillips encouraged everyone to shop in Lawton and live in Lawton and don't use tax exempt cards.

Mike Dudley, 1006 SW B Avenue, stated he worked for the city for 30 years and there was never a day when we had too many people. No department has an adequate number of people to do what needs to be done. He stated there is \$500,000 going to the Museum of the Great Plains. He stated they are not part of the city government. They chose to become a separate entity several years ago. He suggested they take that money, support the employees, and move this city

forward. He noticed in the parks budget that there is a substantial reduction in salary and wage dollars except in sports and aquatics. Their increase is \$12,000 for two people. He stated they are being changed from G05 to G09 and they changed the title. He can see no additional duties and he does not know why these two people are getting a \$6,000 raise.

PUBLIC HEARING CLOSED

MOVED by Wells **SECOND** by Jackson to adopt **Resolution 16-38** approving the budget for Fiscal Year 2016-2017. AYE: Morford, Jackson, Burk, Phillips, McGahee, Wells, Fitch. NAY: Tanner. **MOTION CARRIED.**

26. Consider discussion of possible Public Safety Facility Jail capacity expansion from 104 beds to 150 beds. Exhibits: None.

Jackson stated he was concerned about the number of beds that were mentioned in the preliminary design presentation at the last meeting during the discussion of that sales tax extension program, 150 beds were discussed. Now we are coming in at 100 beds which will be obsolete the day you open the door.

George Hennessee, City Engineer, stated the 100 beds are in the pod area. There are an additional 20 beds in the inmate processing area. Some may only be there an hour or so and they can be held in a temporary holding facility.

Jackson stated he is concerned that we will be in the same situation as the county. He understands that the cost per square foot of that facility is coming in considerably higher than estimated. He is asking staff what is possible. He questioned where we can get additional bed space.

Hennessee stated they have had the consultant look at it and they have looked at the wagon wheel design which is a fan design. It is an option but that is not what they went to the public with on the election. The current goal is to build square pods and install in units. We have one cubicle designed for the initial construction and two additional at a later date. The consultant has said that we could probably build a second pod, finish out the ground floor only and just rough in the upper floor for the \$3 million or we could do the entire pod for \$5 million.

Phillips questioned how we handle the overflow if we leave it at 104 beds.

Burk stated you let them go home. He stated that some day they may need another pod but holding all these non-violent offenders is costing us and we cannot afford it. Phillips questioned why there was such a big difference in the cost per square foot.

Hennessee stated a firm did some preliminary investigation for the police department and they gave us some costs based on population and average square footage for that person and they gave us rough guidelines for the police, jail and courts and each priced at \$250. We went through an RFP process and selected an engineering firm out of Oklahoma City and they did a needs assessment and they came up with a 25 year plan. They also concurred that the \$250 per square

foot would be adequate. When we went out to bid for the design we found out the number was too low.

Jackson stated when the discussion was being held about the sales tax extension program we were discussing 150 beds and he was surprised when only 100 beds were being mentioned. He felt like it was his obligation to bring this issue forward to the council for more explanation on why and what happened. The price per square footage has caused this thing to go out of wack. This issue has been voted on by the public and we are mandated by that vote to do exactly what the public says to do with that sales tax. If we can only build 100, he doesn't like it, but he understands it.

Mayor Fitch stated we can build 104 with a maximum capacity of 120.

Randy Warren, 6513 NW Columbia, stated in listening to these two items it is evident that this could have been put to bed a long time ago if there had been a lot more investigation and planning before you went to the people for money. They backed into the numbers and ended up with that much for the public safety facility. The ballot stated there would be construction of a new police station, a new jail and a new municipal court facility. It stated there would be an expansion of Fire Station #1 and improvements and remodel of Fire Station #1. At no time did the citizens indicate there was a need to build a new Fire Station #1. The council never indicated there was a need or a priority for a new Fire Station #1 until staff mentioned it during a council meeting by saying that staff believes they can build a new fire station with the public safety tax money without a vote of the people. The council told voters one thing and then in the middle of an agenda there appeared an item that was publicly posted as discussion, consideration and possible action regarding the identification of suitable land parcels. During that conversation staff mentioned that they considered it legal to build a new fire station regardless of what the people voted on. Staff said that if the council decided to do that, it would require that the size of the other activities in that facility be made smaller. There was no notice or involvement of the voters and there was no mention of a new fire station in that agenda item. Do what is right and red line the fire station and build a new police station, municipal court and jail that the citizens can be proud of and build a facility that will serve all the future needs of those three entities for the next 50 years. Then come back to the citizens with proof of your good stewardship of our money and we will gladly provide you with the funds to build a new fire station if you can prove it is needed. A governing body should never bait and switch the citizens they represent. You need the voters to vote on your next CIP.

Jensen stated the introductory paragraph to the purposes for which the money was approved states "It is hereby declared to be the purpose of this article to provide revenue for funding capital improvements and operational expenditures, as established by the governing body of the city from time to time, to include the following projects and expenditures to the extent legal and practical as funding generated by the tax renewed and extended by this article allows: 1. Public Safety Purposes: a. Construct and equip a new City police, jail and municipal court facility, acquire land/structures for the expansion of fire station number 1 and improve and remodel fire station number 1". He stated when this proposal was initially brought to the lawyers for drafting it was contemplated that there would be two separate facilities. As they continued to look into things like the current condition of Fire Station #1 they were able to clear up the title issue on

this big plot of land that the city owned and it would be cheaper to have a combined facility as opposed to building separate facility. That is what that language “to the extent legal and practical” refers to. It gives the council some flexibility. That is not new language, it has been in almost all of our sales tax proposals for the past 25 years.

Wells stated there are times you have to make decisions based on the information that comes up when it is available. There was no bait and switch at all on this.

Jensen stated there was a lump sum of money for all of these facilities combined and the bottom line is as long as you are spending the money for a Fire Station #1, you are meeting your requirements and he fully believes that.

Jackson stated if they took out the fire station it would not have changed the size of the police station, jail or courthouse. It is all as required by the cost per square foot of the building and the money that has been allocated.

Mr. Warren questioned if you can say that there has never been a discussion about changing the size of the police station with the architects.

Jackson stated no, not with a dollar figure.

Mr. Warren questioned if staff or council has ever spoken to the architects about reducing the size of the police station, in square footage, in order to fit other activities there.

Wells stated it had more to do with the cost overruns of the jail than it did with anything else. There wasn't enough money to give them what they were asking for.

Mr. Warren stated it is difficult for him to believe this when he asked point blank if there were other activities going on at the facility other than a police station, court and jail and you specifically said no.

Wells stated when Mr. Warren asked him that a year and a half ago that is only thing he knew that was being done there. This other thing came up when they found out there wasn't any ground left under central fire station.

Mr. Warren stated the council voted to include the fire station in March 2015.

Jackson stated the overall cost of the public safety facility, the police, court and jail, is a fixed cost.

Ihler stated to clarify, there has been discussion about the size changing only because when the architect met with each of the department heads and talked about the needs assessment, they went back and put together a cost estimate based on the wish list. The total cost came back at \$49 million. We didn't have \$49 million, so we did come back and reduce some of the items that were identified on the wish list. They needed to reduce the size of the facility based on that original list. That is how they got down to \$31 million, where they are now. That does include

\$5 for a fire station. When you look at the cost estimates, the cost of the fire station is not more than \$5 million, so they would have been in the exact same position even if they didn't apply that \$5 million to the fire station.

Mr. Warren stated you don't have to spend \$5 million on the fire station.

Burk stated why wouldn't we when First Station #1 has major issues. We couldn't purchase the property on the side because the rehab of that property is more than a \$5 million estimate. Why wouldn't we want a facility that was a better facility and designed with today's specifications for the size of the equipment we need and better for the firefighters and it will be less expensive to maintain than an 80 year old building. That is just common sense.

Mr. Warren stated why would you want to build a police, jail and court facility that will only carry you for 15-20 years.

Burk stated they wanted to build it so we could expand on to it. We never wanted to build a 400 bed facility. Our goal was to build bigger than what we have, something that wasn't draining sewage, that is what we are trying to get rid of.

Tanner exited the chambers at 7:35 p.m.

ADDENDUM:

1. Consider approving a Resolution of the City of Lawton, Oklahoma (the "City") authorizing the engagement of Hawkins, Delafield & Wood LLP and Bracewell LLP as special counsel in connection with the issuance of the City's General Obligation Bonds, Series 2016 (the "2016 Bonds") and related regulatory and administrative proceedings, and authorizing the Mayor or Mayor Pro-Tem, upon the advice of special counsel, to approve and execute any amendments to the Official Statement for the 2016 Bonds and any related continuing disclosure undertakings. Exhibits: Resolution No. 16-____, Letter of Engagement from Hawkins, Delafield & Wood LLP (on file in City Clerk's Office) and Letter of Engagement from Bracewell LLP (on file in City Clerk's Office).

MOVED by Wells SECOND by Morford to adopt **Resolution 16-39**. AYE: Morford, Jackson, Burk, Phillips, McGahee, Wells. NAY: None. ABSENT: Tanner. MOTION CARRIED.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

FINANCE REPORT

J.I. Johnson, Finance Director, presented revenue and expenditure highlights for period ending April 30, 2016. (On file in the City Clerk's office).

Tanner returned at 7:40

Tanner congratulated the graduating class at Eisenhower High School. They were able to garner a grant, Lead to Feed, and they were able to donate to the Salvation Army. He is happy we were able to add positions back in the budget. He wished they could have done this without the furloughs and the water increase.

Wells congratulated those involved with the summer youth program. He stated staff put together a marvelous program. He stated in the past the council had a public safety committee that dealt with the fire department and cost recovery, and the fire department is starting to get some funding and they have requested that the committee be reactivated.

Tanner, Phillips and Wells volunteered for the committee.

Wells stated the change of command ceremony will be held July 8th.

COL Waters stated Fort Sill will host their Memorial Day ceremony at 8 a.m. on Monday on the south side of the main post cemetery.

The Mayor and Council convened in executive session at 7:50 p.m. and reconvened in regular, open session at 8:39 p.m. Roll call reflected all members present.

EXECUTIVE SESSION ITEMS:

27. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2016-2017 between the Police Union, IUPA Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item #27. No action was taken.

There being no further business to consider, the meeting adjourned at 8:40 p.m. upon motion, second and roll call vote.

FRED L. FITCH, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK