

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
JUNE 9, 2020 – 6:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Stan Booker, Mayor

Also Present:
Michael Cleghorn, City Manager
Tim Wilson, Deputy City Attorney
Traci Hushbeck, City Clerk

Mayor Booker called the meeting to order at 6:00 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Council Member Linda Chapman, followed by the Pledge of Allegiance

ROLL CALL

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

ABSENT: None

PRESENTATION OF CERTIFICATES OF APPRECIATION TO VOLUNTEER MASK MAKERS

Mayor Booker presented Certificates of Appreciation to citizens who purchased items for Goodwill Village residents and for purchasing fabric, elastic and sewing over 100 facemasks for essential personnel.

REPORTS: MAYOR/CITY COUNCIL: None

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETINGS OF MAY 12 AND MAY 26, 2020.

MOVED by Burk SECOND by Jackson to approve the minutes of Lawton City Council regular meetings of May 12 and May 26, 2020. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

CONSENT AGENDA

Johnson requested items #7 and #8 be considered separately.

MOVED by Burk SECOND by Warren to approve the consent agenda with the exception of items #7 and #8. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

1. Consider approving the professional services agreement with John C. Mackey, for various matters involving real property, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Retainer Agreement for Professional & Legal Services.
2. Consider renewing the professional services agreement with James C. Ferguson of Walker, Ferguson and Ferguson for the defense of Workers' Compensation claims, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Retainer Agreement for Professional & Legal Services.
3. Consider approving the agreement between the City of Lawton and Goolsby, Proctor, Heefner & Gibbs, P.C. for professional services of Attorney/Partner Jim Gibbs, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Retainer Agreement for Professional & Legal Services.
4. Consider approving the annual lease agreement between the City of Lawton and the Crossroads Youth and Family Services Center, Inc. Exhibits: Lease Agreement.
5. Consider awarding a professional services contract to Traffic Engineering Consultants, Inc. for the purpose of providing traffic engineering services for the City of Lawton and authorize the Mayor and City Clerk to execute the contract. Exhibits: Retainer Agreement for Professional Engineering Services.
6. Consider extending the requirement contract (CL18-041) Sodium Hypochlorite with FSTI, Inc. of Austin, Texas for an additional year. Exhibits: Department Recommendation, and Price Sheet.
7. Consider extending (RFPCL19-029) Concession Lease Ahlshlager Park to LaSill Optimist Club of Lawton, OK, and authorize the City Council and Mayor to enter into a Concession Lease Agreement for same. Exhibits: Department Recommendation and Proposal Price Sheet. Concession Lease Agreement is on file in the City Clerk's office.

Johnson stated she is a member of the Optimist Club and she will abstain from the vote.

MOVED by Warren SECOND by Jackson to extend (RFPCL19-029) Concession Lease Ahlshlager Park to LaSill Optimist Club of Lawton, OK. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Warren. ABSTAIN: Johnson. NAY: None. MOTION CARRIED.

8. Consider extending (RFPCL19-031) Concession Lease Eastside Park to LaSill Optimist Club of Lawton, OK, and authorize the City Council and Mayor to enter into a Concession Lease Agreement for same. Exhibits: Department Recommendation and Proposal Price Sheet. Concession Lease Agreement is on file in the City Clerk's office.

MOVED by Warren SECOND by Chapman to extend (RFPCL19-031) Concession Lease Eastside Park to LaSill Optimist Club of Lawton, OK. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Warren. ABSTAIN: Johnson. NAY: None. MOTION CARRIED.

NEW BUSINESS ITEMS:

9. Consider rescinding the temporary suspension of the audience participation portion of City Council Meetings, and if rescinded, allow audience participation during the June 9, 2020 Council Meeting. Exhibits: None.

Mayor Booker stated when they started having remote meetings the council suspended audience participation. He stated with a vote the council will reinstate this and will immediately have audience participation.

MOVED by Hampton SECOND by Warren to rescind the temporary suspension of the audience participation portion of City Council Meetings and allow audience participation AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

AUDIENCE PARTICIPATION:

Ted Symeleski, 2509 SW Cornell Avenue, stated he has a question about the walkway at 53rd and Columbia. He stated the only work the contractor has done is put in a new piece of chain link. He questioned when the walkway will be fixed. He stated they also installed poor quality sod along that new road on 53rd between Gore and the railroad tracks.

Walter Murphy, 5348 NW Cache Road, requested that the council declare Friday as a Day of Prayer in Lawton.

Christian Lane, 2505 NW 82nd Street, discussed various issue regarding oppression.

10. Hold a public hearing to receive citizen comments, discuss recommendations from the City Planning Commission, and consider approving the Citizen Participation Plan Amendment, and authorizing the Mayor and City Clerk to execute all documents necessary to implement the plan. Exhibits: None.

Christine James, Housing and Community Development Administrator, stated the Citizen Participation Plan requires a public hearing before the City Planning Commission (CPC) and City Council to consider any adoption of plans or substantial amendments along with a public notice requirement of at least fifteen days. In April of this year, the CARES Act was approved in response to the COVID-19 pandemic and as a result, HUD has made several exceptions available

in order for municipalities to respond quickly. One of the exceptions is to reduce the public hearing notice requirement to five days. This Amendment will reduce the public hearing notice requirement to five days for amendments to the Citizen Participation Plan, Annual Action Plan for 2019, Consolidated Plan for 2016-2020, and Annual Action Plan for 2020 in response to the CARES Act.

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

MOVED by Hampton SECOND by Warren to approve the Citizen Participation Plan Amendment, and authorize the Mayor and City Clerk to execute all documents necessary to implement the plan. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

11. Hold a public hearing to receive citizen comments, discuss recommendations from the City Planning Commission, and consider approving the Consolidated Plan Amendment for 2016-2020, and authorizing the Mayor and City Clerk to execute all documents necessary to implement the plan. Exhibits: None.

James stated the purpose of the hearings is to obtain input from Lawton citizens prior to the approval of the amendment by the City Council. The Consolidated Plan for 2016-2020 was originally approved on April 26, 2016 and outlines the community's strategy for implementation of housing and community development activities. In April of this year, the CARES Act was approved in response to the COVID-19 pandemic and as a result, the City of Lawton has been allocated \$419,193 in CDBG-CV1 funds. The Amendment to the Consolidated Plan for 2016-2020 will create a Covid-19 Project which will allow for the development and implementation of a new program in the Annual Action Plan for 2019.

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

MOVED by Warren SECOND by Hampton to approve the Consolidated Plan Amendment for 2016-2020, and authorize the Mayor and City Clerk to execute all documents necessary to implement the plan. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

12. Hold a public hearing to receive citizen comments, discuss recommendations from the City Planning Commission, and consider approving the Annual Action Plan Amendment for 2019, and authorizing the Mayor and City Clerk to execute all documents necessary to implement the plan. Exhibits: None.

James stated the purpose of the hearings is to obtain input from Lawton citizens prior to the approval of the amendment by the City Council. The AAP for 2019 was originally approved on April 23, 2019, and allocated funds for the program year beginning July 1, 2019, and ending June 30, 2020. In April of this year, the CARES Act was approved in response to the COVID-19 pandemic and as a result the City of Lawton has been allocated \$419,193 in CDBG-CV1 funds. The Amendment to the AAP for 2019 will set aside these funds to be used for a utility assistance program that will be managed by the Lawton Housing Authority.

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

MOVED by Burk SECOND by Jackson to approve the Annual Action Plan Amendment for 2019, and authorize the Mayor and City Clerk to execute all documents necessary to implement the plan. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

ADDENDUM:

1. Consider adopting a resolution amending the City of Lawton FY 19-20 budget, as amended, by appropriating \$419,193.00 from the CARES Act Federal Allocation into the CDBG-CV CARES Act Allocation account (Specific account for the CARES Act funds will be created by Financial Services). Exhibits: Resolution 20-__.

James stated this is the last step to get the CARES Act money into the system so they can spend it. The Lawton Housing Authority has already been taking applications for the utility assistance program and has already sent vouchers to revenue service division as a promise to pay on several accounts.

MOVED by Burk SECOND by Jackson to approve **Resolution 20-33**. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

13. Continue discussion on the City of Lawton's proposed budget for Fiscal Year 2020-2021, and provide direction to finalize the budget or take action to approve the budget (with any revisions) by Resolution as deemed appropriate. Exhibits: FY 2020-2021 Preliminary Budget on file in the City Clerk's office and previously distributed to Council. Budget Resolution No. 20-__.

Cleghorn stated they have some new information and some new ideas so he is recommending that they wait until the next scheduled council meeting or a special scheduled council meeting for a final budget as they work through these numbers.

Burk stated he does not feel that the general employees should take the burden of having the furlough days and he is hoping we can eliminate the furlough days because fire and police also have a portion of this. He stated the not knowing is the biggest concern and he appreciates all the hard work by city staff.

Mayor Booker stated item #14 will be stricken.

14. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2015, to implement increases in water, sewer, refuse, and landfill rates, as set forth in Exhibit "A" of the Resolution, subject to approval by the Lawton Water Authority, and establishing an effective date. Exhibits: Resolution 20-__ and Exhibit "A". **(STRICKEN)**

15. Consider approving Council Policy 1-13: Scope of Responsibilities & Code of Conduct – adapted from A Best Practices Handbook for Oklahoma Municipalities, created/produced by Municipal Consultants & OMAG – and making the policy effective immediately.
Exhibits: Council Policy 1-13: Scope of Responsibilities & Code of Conduct.

Johnson stated when she was elected she thought that there should be some policies in place that hold them accountable as city council members and have some general guidelines on how to operate and conduct themselves. The initial idea was an orientation manual and she feels this is a start.

Warren stated a new council member does not know where to find all this information. This basically takes all the information from the charter and council policies and puts it into one place. The social media policy is an addendum and it provides rules for social media on your official page. They have to be very careful about what is allowed on your page. A lot of this is legal information that will keep us out of trouble in the future. He feels this is a good package that the can add to as the years go on.

MOVED by Warren to approving Council Policy 1-13.

Fortenbaugh stated he really likes the idea of a handbook for incoming council members but he does not like the idea of a policy. He heard people up here talking about problems with it as it is written right now, that alone means to him that it is not ready to go. He stated if you read the policy, it tramples all over first amendment rights and we cannot have a policy like this that takes away first amendment rights. He agrees with the handbook but not the policy.

Mayor Booker questioned how it stifles our first amendment rights.

Fortenbaugh stated there is language about what you can and cannot say and he is not going to be restricted by this policy.

Warren stated he would like to make a change. On page 5 the social media policy talks about complaints or problems of misuse. He feels that violations should be reported to the City Attorney, not the City Manager or City Clerk. That would be the one change he would like to make.

Mayor Booker stated on page 8 under public meeting conduct, number 2, it says that council members shall listen when others are speaking, in essence not texting or posting to social media during a city council meeting. He feels the council should not bring their phones or at least put them on airplane mode.

Johnson stated this was adopted by the OML and she is not sure how many people had a chance to look at it. She suggested they put together a review committee to look at it and see what may need to be changed. There are council members with some concerns that she feels needs to be addressed.

Hampton stated most of what he does is deal with what his constituents want. He is interested in this being a handbook, but he is not sure it should be any type of policy to restrict the way a council member should do or not do something. He does agree that they need to look at this a little more in depth.

MOVED by Johnson SECOND by Chapman to form a review committee for the council policy. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

Mayor Booker appointed Johnson as chair with Warren, Fortenbaugh and Hampton as members of the review committee.

16. Discuss forming a race relations committee and if so agreed, decide the type of committee to be formed pursuant to Council Policy 1-06 and give the committee the authority to decide its purpose, objectives, and the makeup of the committee. Exhibits: None.

Mayor Booker stated we have to be the most racially diverse city in this state. We peacefully and respectfully rallied and protested in the best way. He stated while on a panel the idea came up of a Mayor's Commission on Race Relations. The idea was to keep the conversation going and to keep getting better. He stated Chief Smith has been so open in conversation to be proactive with ways to improve public trust. This race relations commission will help us be proactive by meeting regularly and promoting better race relations and racial equality in our city. They can keep the conversation going and impact the community through multiple organizations, not just the council. He does not have all the details but he is asking to form an advance committee to define the commission and how it will be made up and how it would work. We have three council members that are trained in the social sciences and they are the ones he would like to appoint. He is requesting that Council Member Johnson, Council Member Hankins and Council Member Hampton work with him on developing this commission.

Johnson stated this is something that we really need in our community. Over the past couple of days we have had some peaceful gatherings which are turning into peaceful partnerships. We have to provide a bridge of communication and she believes that this committee is where we are going to start.

Hampton stated that since the Mayor is the only official elected by the entire city, he feels it is a fantastic idea for him to be on this committee.

MOVED by Warren SECOND by Hampton to form the advance committee for the Mayor's Commission on Race Relations. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

17. Discuss ancillary issues related to the employee furlough plan authorized under City Code Section 17-2-11-243. Exhibits: None.

Mayor Booker stated the code states “Notwithstanding existing laws or provisions to the contrary, the mayor shall call upon the members of the city council to voluntarily donate to the general fund any portion of their salary, which would otherwise have been received during the mandatory furlough period”. He stated three council members have come to him with this issue and apparently there is an IRS issue having to do with the legality of the city holding our check. There is also the issue that if we donate, it has to come before public display and an amendment to the budget creating a challenge. It creates a situation where certain elected officials could buy attention. The payment is really paying for expenses of being a public servant. He suggested that the council furlough with employees, furlough in solidarity and let them take the equivalent of one days’ pay. He is bringing this to the council because this would require more than one hour of staffs’ time to develop that ordinance change.

Burk stated it is only fair that the council furlough the same amount of days as city employees. He hopes they can fix this and there will be no future furloughs.

Chapman stated that she feels strongly that the council needs to participate in helping with the furloughs. If the general employees are having to do this, then she is willing to fully participate.

Hampton stated there are so many issues with labor laws and he feels they need a show of solidarity.

Hankins stated they need to be side by side with the employees to show they care.

MOVED by Burk SECOND by Warren to furlough the city council with employees and let them take the equivalent of one days’ pay. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

18. Consider an ordinance pertaining to Buildings in Lake Areas, amending Sections 19-5-501, 19-5-503, 19-5-508, 19-5-509, 19-5-515, 19-5-519, and repealing and reserving Sections 19-5-507 and 19-5-520, Article 19-5, Chapter 19, Lawton City Code, 2015, by removing waiting list requirements, removing requirements to affix the number of the space to dock units, adding language requiring encapsulated foam on dock units, altering language regarding barge slips, altering information provided for the official map, adding a requirement for lessees to maintain vegetation, and adding language regarding a processing fee, providing for severability and establishing an effective date. Exhibits: Ordinance 20-__.

Bart Hadley, Deputy City Manager, stated they would like to request a floor amendment regarding Section 3, 19-5-507. Staff is still recommending that the majority of this still be struck but that we keep this section and keep bartering restricted as the title and keep the last two sentences. Keeping this language would preclude someone from trying to sell space that is actually city property.

MOVED by Warren SECOND by Jackson to adopt amended **Ordinance 20-10**, waive the reading of the ordinance, read the title only and establishing an effective date of thirty days after passage. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 20-10

An ordinance pertaining to buildings in lake areas, amending Lawton City Code, 2015, Chapter 19, Article 19-5, Section 19-5-501 by removing the permit waiting list requirement and adding language regarding a processing fee; amending Article 19-5, Section 19-5-503 by removing the waiting list requirement for temporary space permits; amending Article 19-5, Section 19-5-507 to remove language regarding priority lists; amending Article 19-5, Section 19-5-508 by removing the requirement to affix the number of the space to the dock unit; amending Article 19-5, Section 19-5-509 to require dock units to have encapsulated foam and altering the language regarding boat or barge slips; amending Article 19-5, Section 19-5-515 by removing the space user's name, space location, and dimensions from the official map; amending Article 19-5, Section 19-5-519 by removing priority list language and adding a requirement for lessees to maintain vegetation; and, repealing and reserving Article 19-5, Section 19-5-520 regarding display of decals; providing for severability and declaring an effective date.

Council Member Johnson left the meeting at 7:09 p.m.

19. Consider approving a Resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2015, relating to Buildings in Lake Areas by adding a \$50.00 administrative processing fee for processing documents related to the sale/transfer of boathouses, and establishing an effective date. Exhibits: Resolution 20-__.

Hadley stated there is a lengthy administrative processing fee and it creates some challenges for staff for the transfers. This is a request to add a \$50 administrative fee when someone sells their boathouse and includes the slip as part of that.

Mayor Booker questioned if this goes to legal.

Hadley stated it hasn't in the past, but there was an experienced administrative assistant in parks and recreation that handled all of this, but she just retired. They feel that these should start going through legal.

Mayor Booker stated there is no way that we can cover the expenses of a real estate transaction for \$50. It seems that the rest of the citizens are subsidizing this process.

Warren stated we do so much on a daily basis that only affects a limited number of citizens, but yet the vast majority of citizens are subsidizing the cost of that. He would like to have an item brought to the next council meeting to look at putting a council committee together to look at the entire fee schedule. He does not feel we should be making a lot of money, but we should not be losing money when it does not serve the citizenry as a whole.

Burk stated they need to look at fees more often and they need to have a regular revision of fees. He feels having a committee is past due and he is willing to serve on the committee.

Cleghorn stated in a lot of communities the fees are looked at during the budget process so the committee could meet and go over the fees as part of the budget process and incorporate changes into the budget for that year.

MOVED by Warren SECOND by Fortenbaugh to approve **Resolution 20-32**. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Warren. NAY: None. MOTION CARRIED.

20. Consider an ordinance amending Section 15-1-111, Chapter 15, Lawton City Code, 2015, by defining the duty of property owners to maintain sidewalks, to keep brush, tree limbs, or other vegetation from overhanging sidewalks and public streets; providing for severability and establishing an effective date. Exhibits: Ordinance 20-__.

Richard Rogalski, Deputy City Manager, stated the proposed ordinance addresses two areas of concern: maintenance of sidewalks and low hanging trees and other vegetation over streets and sidewalks. There has been confusion regarding who is responsible for maintenance of sidewalks. The proposed ordinance clarifies that property owners are responsible for the maintenance of sidewalks abutting their property. In 2003, the City Council adopted Ordinance No. 03-05 requiring tree limbs be a minimum of 14 feet above a public street. The motion approved by the City Council also stipulated that the City would absorb the cost of trimming and removing limbs lower than 14 feet. The proposed ordinance does not change the clearance distance but does make the abutting property owner responsible for keeping the clearance over the street and sidewalk and includes brush or other vegetation emanating, growing, or originating from the abutting property as a nuisance. The clearance distance would remain 14 feet over a public street and 8 feet over a sidewalk. Sections 16 and 17 of Title 50 and Section 22-121 of Title 11 of the Oklahoma Statutes empowers municipalities to determine and declare what shall constitute a nuisance and to summarily abate any such nuisance after notice to the owner and an opportunity to be heard and to otherwise provide for the prevention, removal, and abatement of nuisances.

Mayor Booker clarified that we are going to work with people, we are not going to start enforcing.

Rogalski stated it would become effective in 30 days and we would send a notice to the property owner, just as we do for all nuisances.

Burk stated he is concerned people are not going to take care of their sidewalks. This is not going to work for him. They have money in the CIP for sidewalks and they need to use that money. He stated if it is a sidewalk in front of your home that is a different story, because those are smaller sidewalks and they are not very long. But those sidewalks along businesses that are along some of the major thoroughfares would be very expensive. Some of them are 6-8 feet wide and are very long and have been there for years. We need to use that CIP money before we go out and tell businesses to get their sidewalks fixed. We need a thorough overview of this. The ADA committee has worked on this and that needs to be implemented along with that CIP

money which is allocated for sidewalk repair. He does not mind this concept if it is in residential areas, but he cannot support commercial sidewalks that are substantial.

Rogalski stated when they researched this the sidewalk is the legal responsibility of the property owner.

Burk stated until we do our part on commercial property specifically along major roads, he cannot shove it back on the citizen. We need a better plan.

Rogalski stated it is a policy issue.

Burk stated there is a point of who is going to pay. We need to fix the major issues we currently have through CIP funding then we can come back and start a policy for commercial property. He has no issues passing the residential. We should have changed the low hanging tree issue a long time ago.

Warren stated he drives around town and sees all these new sidewalks the City has put in and the homeowners just let grass grow over the sidewalk and the curb. He does not know if there is anything in the code that says the homeowner has to take care of this.

Chapman stated there is so much movement in our soil and if they start sinking we are saying that the resident has to fix that part of the sidewalk.

Rogalski stated it is clear that the property owner is responsible.

Burk suggested they send this to the Lawton Enhancement Trust Authority (LETA) to develop a plan of action and then they can bring a recommendation back to council. There should be something that they can send to neighborhood services so they can have a policy. He feels this is just part of a bigger policy.

Hankins agreed with sending this to LETA. She is concerned about enforcing this when we have such a hard time with other issues.

Cleghorn stated this issue affects fire trucks, solid waste trucks and those trucks are 13 ½ feet high, therefore those limbs need to be maintained. In a residential area it is private property all the way to the curb so they are responsible for maintaining that sidewalk.

MOVED by Burk SECOND by Chapman to send this issue to the Lawton Enhancement Trust Authority for a recommendation. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Warren. NAY: None. MOTION CARRIED.

STAFF REPORTS - None

The Mayor and Council convened in executive session at 7:29 p.m. and reconvened in regular, open session at 8:24 p.m. Roll call reflected all members present.

EXECUTIVE SESSION ITEMS:

21. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the hiring of a City Attorney, to include the discussing and/or evaluation of particular candidates who have submitted applications for the position, and, if necessary, take appropriate action in open session. Exhibits: None.

Wilson read the title of item #21.

MOVED by Burk SECOND by Jackson to approve an employment agreement with John Ratliff to serve as City Attorney with the terms of appointment to include but not limited to 1) Ratliff shall commence his employment as City Attorney on a day between November 1, 2020 and February 28, 2021 to be agreed upon by all parties and 2) upon commencing employment and assuming the responsibilities of City Attorney, Ratliff will begin earning an annual salary of \$135,000 as well as other benefits as set forth in the employment agreement. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Warren, Booker. NAY: None. MOTION CARRIED.

22. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss contract negotiations with International Association of Fire Fighters (IAFF), Local 1882, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None.

Wilson read the title of item #22.

MOVED by Burk SECOND by Warren to approve and authorize the Mayor to execute a memorandum of understanding between the City of Lawton and the International Association of Fire Fighters (IAFF), Local 1882, which among other things 1) modifies Article 12 and 18 of the parties collective bargaining agreement dealing with employee health insurance and 2) extends Council Policy 3-4 dealing with birthday leave to the members of the bargaining unit. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Warren. NAY: None. MOTION CARRIED.

23. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the mediation scheduled for July 8, 2020, regarding the 2008 Chevron energy performance contract and amendments related thereto between the City and OpTerra ES (formerly Chevron ES), and now known as Engie Services U.S., and, if necessary, take appropriate action in open session. Exhibits: None.

Wilson read the title of item #23. No action was taken.

There being no further business to consider, the meeting adjourned at 8:29 p.m. upon motion, Second and roll call vote.

STAN BOOKER, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK