

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JUNE 12, 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 PROCLAMATION FOR LAWTON VETERANS APPRECIATION DAY 2007.

PRESENTATION OF CLEAN AIR EXCELLENCE AWARD.

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 MEETINGS OF MARCH 27 AND APRIL 10 AND THE SPECIAL MEETING OF APRIL 19, 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 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: Robert and Tiffany Bowen in the reduced amount of \$8,092.68, Jeff Garcia in the reduced amount of \$269.58, AEP in the amount of \$1,593.00 and Randy and Lisa Keith in the reduced amount of \$1,900.64. Exhibits: Legal Opinions/Recommendations. Resolution No. ___, Resolution No. ___, and Resolution No. ___. Page 1
2. Consider the following damage claims recommended for denial: Mayo and Edna Elliott in the amount of \$1,200.00, AEP in the amount of \$849.00, Edna Solitario, MD. In the amount of \$2,827.95 and Derrick Dawson in the amount of \$844.00. Exhibits: Legal Opinions/Recommendations. Page 16
3. Consider approval of renewing the Retainer Agreement for Professional Services with Granville D. Long, to provide professional investigative services to the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement. Page 25
4. Consider renewing the professional services agreement with Robert M. Jernigan as a representative on telecommunication; James C. Ferguson of Walker, Ferguson and Ferguson for the defense of Workers' Compensation claims; Tony G. Puckett of McAfee & Taft on labor-related issues; Gary M. Bush of Fagin, Brown, Bush, Tinney & Kiser for financial related representative services; and authorize the Mayor and City Clerk to execute the Agreements. Exhibits: Retainer Agreements for Professional & Legal Services on file in the City Clerks Office. Page 30

5. Consider approval of the Retainer Agreement for Legal Services between the City of Lawton and Neil West and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Retainer Agreement for Professional & Legal Services on file in City Clerk's Office. Page 32
6. Consider approving the appointment of Nathan M. Johnson and Jon Oscar Lagerberg as Alternate Municipal Judges, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Nathan Johnson's Agreement for Judicial Services, Jon Oscar Lagerberg's Agreement for Judicial Services. Page 33
7. Consider approval of renewing the Retainer Agreement for Professional Services with the Mackey Law Firm, to provide professional property research services to the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement. Page 53
8. Consider adopting a resolution approving the settlement by a joint petition and making payment in the pending workers' compensation claim of Donald G. McGee. Exhibits: Resolution No. 2007-_____. Page 58
9. Consider adopting a resolution authorizing the City Attorney to initiate a foreign judgment in favor of Larry Burnison in the amount of \$15,506.58 of the total \$42,108.00 award and ratifying the actions of the City Attorney and the City Manager in directing our third party administrator to make weekly payments on the balance of the judgment in the Workers' Compensation case of Larry Burnison in the Workers' Compensation Court, Case No. 2006-03962 K. Exhibits: Resolution No. 2007-____. Page 60
10. Consider approving Outside Water Sales Contracts with Larry Ballou and Randall and Inna Caldwell, and authorize the Mayor and City Clerk to execute the Contracts. Exhibits: Location Maps. Contracts are on file in the City Clerk's office. Page 63
11. Consider approving outstanding storage charges in the amount of \$225.00 to be paid to State Farm Insurance in order to release the lien for the Hoffman vehicle to be auctioned by Sapulpa Auto Pool. Exhibits: Pamplin Invoice. Page 65
12. Consider accepting donation of six (6) Remington 870 Express Magnum Shotguns from Great Plains Technology Center. Exhibits: A letter from GPTC requesting the Lawton Police Department accept said shotguns upon approval of the City Council. Page 67
13. Acknowledge receipt of election returns of December 12, 2006, February 13 and April 3, 2007. Exhibits: Official Certification of Votes from Comanche County Election Board. Page 69
14. Consider a request from the United States Department of the Interior, Bureau of Indian Affairs, to provide comment regarding an application on acquisition of property into tribal trust land, and authorize the Mayor to comment and respond to the Bureau of Indian Affairs. Exhibits: Letter from Bureau of Indian Affairs dated April 24, 2007 and map of property location. Page 75

15. Consider a request from the United States Department of the Interior, Bureau of Indian Affairs, to provide comment regarding an application on acquisition of property into tribal trust land, and authorize the Mayor to comment and respond to the Bureau of Indian Affairs. Exhibits: Letter from Bureau of Indian Affairs dated April 24, 2007 and map of property location. Page 79
16. Consider adopting Street Light Resolution No. 452 to authorize the installation/removal of street lights at the location listed in the Resolution. Exhibits: Street Light Resolution No. 452. Page 84
17. Consider awarding a construction contract to Landmark Structures I, L.P. for the Water Infrastructure Improvement Phase 2 (Tower) Project #2006-9. Exhibits: None. Page 87
18. Consider approval of Change Order Number 1 for the Southeast Water Treatment Plant Project with Archer Western Contractors LTD. Exhibits: Change Order Number 1 (On file in the Public Works Administration office). Page 88
19. Consider approving agreements for refuse disposal with the following entities, and authorize the Mayor and City Clerk to execute the Agreements: Town of Indianoma, Multiple Community Services Authority and Town of Temple. Exhibits: Agreements on file with the City Clerk. Page 89
20. Consider approving agreements for euthanization services with the following entities, and authorize the Mayor and City Clerk to execute the Agreements: City of Grandfield and Town of Medicine Park. Exhibits: Agreements on file with the City Clerk. Page 90
21. Consider endorsing the Federal Fiscal Year (FFY) 2008-2011 Transportation Improvement Program (TIP) for the Lawton Metropolitan Area Transportation Study area. Exhibits: FFY 2008-2011 TIP. Page 91
22. Consider endorsing the Fiscal Year (FY) 2007-2008 Unified Planning Work Program (UPWP) for the Lawton Metropolitan Transportation Planning Process. Exhibits: FY 2007-2008 UPWP on File in the Office of the City Clerk. Page 92
23. Consider approving the Memorandum of Understanding between the City of Lawton and the Lawton Metropolitan Planning Organization (LMPO) for metropolitan transportation planning for Fiscal Year 2007-2008 for the Lawton Metropolitan Area and authorize the Mayor to execute. Exhibits: MOU on File in the Office of the City Clerk. Page 93
24. Consider awarding (CL07-043) Digital Voice Recorder to Magnasync Corporation of Los Angeles, CA. Exhibits: Department recommendation, abstract of bids. Page 94
25. Consider awarding (CL07-044) Bulldozer & Hydraulic Excavator to Kirby-Smith Machinery, Inc., of Oklahoma City, OK, for the Bulldozer, rejecting all bids for the Hydraulic Excavator and rebidding that portion of the contract. Exhibits: Department recommendation, abstract of bids. Page 98
26. Consider awarding (CL07-047) Manhole Rings and Covers to Water Products of Oklahoma, Inc., of Owasso, OK. Exhibits: Department recommendation, abstract of bids. Page 103

27. Consider awarding (CL07-048) Digester Feed Pumps to Bertrem Products, Inc., of Tulsa, OK. Exhibits: Department recommendation, abstract of bids. Page 106
28. Consider extending the contract (CL06-046) Laboratory Services of Toxic Pollutants with Accurate Environmental Labs of Stillwater, OK. Exhibits: Department Recommendation, Price Bid Sheet, Contract Extension Form. Page 109
29. Consider awarding (CL07-049) Sewer Pipe as follows: Group 1: A, B, C to Water Products of Oklahoma, Inc., of Owasso, OK, Group 2: A, B, C to ISCO Industries of Jenks, OK, Group 3: A & B to Ferguson Waterworks of Oklahoma City, OK, Group 3: C, D, E, F to Oklahoma Contractor's Supply of Oklahoma City, OK. Exhibits: Department recommendation, abstract of bids. Page 112
30. Consider awarding (CL07-050) Mowing and Litter Contract to Teen Challenge of Oklahoma of Cache, OK. Exhibits: Department recommendation, abstract of bids. Page 118
31. Consider approving appointments to boards and commissions. Exhibits: None Page 121
32. Consider approval of payroll for the period of May 21 – June 3, 2007.

OLD BUSINESS ITEMS:

33. Hold public hearings and adopt resolution declaring the structure at 1804 S.W. Garfield Avenue to be dilapidated public nuisances, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to commence legal action in district court to abate each nuisance. Further authorize Neighborhood Services to solicit bids to raze and remove each dilapidated structure, if necessary. Exhibits: None. Page 122

BUSINESS ITEMS:

34. Hold a public hearing and consider an ordinance closing a portion of the alley adjacent to Lot 6, Block 15, Airport Addition, also known as 302 SW Lee Boulevard. Exhibits: Ordinance No. 07-___, Application, Location Map and Survey. Page 123
35. Hold a public hearing and consider an ordinance closing a portion of a public utility easement on the north side of Lot 2, Block 32, Wyatt Acres Addition, Part 14, also known as 612 NW Micklegate Boulevard. Exhibits: Ordinance No. 07-___, Application, Location Map, Survey. Page 128
36. Consider issuing a revocable permit for the placement of heating/air conditioning equipment in the utility easement located on the north side of Lot 2, Block 32, Wyatt Acres Addition, Part 14, also known as 612 NW Micklegate Boulevard. Exhibits: Revocable Permit with Map of Permitted Area. Page 133
37. Consider adopting a resolution declaring that Ninety Percent (90%) of the budgeted and appropriated revenues for fiscal year 2006-2007 have been collected for the General Fund. Exhibits: Resolution 07-___ and Revenue reports dated May 31, 2007. Page 139
38. Consider reviewing and approving the City of Lawton Fiscal Year 2007-2008 budget and approving a resolution adopting the FY 2007-2008 City of Lawton budget. Exhibits: List of adjustments and changes and Resolution No. 07 _____. Page 142

39. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, to increase the fee for City provided utilities and establishing an effective date. Exhibits: Resolution No. 07____. Page 146
40. Consider an ordinance amending Section 15-5-503, Article 15-5, Chapter 15, Lawton City Code, 2005, by removing the exceptions related to lots zoned R1 or R2, providing for severability, and declaring an emergency. Exhibits: Ordinance 2007-____. Page 160
41. Consider adopting an ordinance amending Section 22-2-3-232, Division 22-2-3, Article 22-2, Chapter 22, Lawton City Code, 2005 by clarifying the guidelines for purchasing water outside City limits, providing for severability, and declaring an emergency and consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, to include a \$75.00 application fee for the sale of water outside of City limits, and establish an effective date. Exhibits: Ordinance No. 07-____; Resolution 2007-____. Page 163
42. Discuss Council Policy No. 8-2, regarding additional access requirements for section line roads and arterial streets which have limited access rights and take appropriate action as necessary. Exhibits: Draft Policy and Exhibit “A”. Page 170
43. Consider accepting the proposal for Life Insurance Provider. Exhibits: Spreadsheet with options, copy of proposal summary page. Page 174
44. Consider accepting the proposal for health and dental care benefits third party administrator, Blue Cross Blue Shield. Exhibits: Spreadsheet with options, copy of BCBS proposal summary page. Page 176
45. Consider accepting the proposal for Employee Assistance Provider. Exhibits: Spreadsheet with options, copy of proposal summary page. Page 178

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

EXECUTIVE SESSION ITEMS

46. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending workers’ compensation claims of Mark Pack, Case Nos., WC-2005-01214F and WC-2005-01215J, and if necessary, take appropriate action in open session. Exhibits: None. Page 180

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."