

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JUNE 26, 2007 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

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 APRIL 24, MAY 8 AND JUNE 12, 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: Ramona Shegog in the amount of \$119.00, Ruben Padilla-Cardona and Dominga Gloria in the amount of \$1,837.18, Rigoberto Machado in the amount of \$383.82 and Marianne and Scott McGinnity in the amount of \$1,548.73. Exhibits: Legal Opinions/Recommendations, Resolution No. ____ and Resolution No. _____. Page 1
2. Consider the following damage claim recommended for denial: In Son Pang in the amount of \$2,783.66. Exhibits: Legal Opinion/Recommendation. Page 14
3. Consider adopting a resolution approving a proposed settlement and authorizing the filing of a joint journal entry to make payment in the pending lawsuit of Anthony Zinn, Case No., CJ-2005-1108, against the City of Lawton. Exhibits: Resolution No. 07-_. Page 17
4. Consider adopting a resolution authorizing the City Attorney to initiate a foreign judgment in favor of Sean McDougle in the amount of \$16,733.10 of the total \$24,420.50 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 Sean McDougle in the Workers' Compensation Court, Case No. 2006-06051 R. Exhibits: Resolution No. 2007-____. Page 19
5. Consider approval of the Retainer Agreement for Legal Services between the City of Lawton and Leah S. Terrill-NesSmith 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 22
6. Consider approval of 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 June 6, 2007 and Map of property location. Page 23

7. Consider approval of 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 June 8, 2007 and Map of property location. Page 27
8. Consider authorizing the Fire Department to accept the second phase of grant funding from the State Office of Homeland Security as well as all remaining grant funding associated with the purchase or acceptance of a fully equipped Technical Rescue Trailer (TRT), auxiliary rescue equipment, and tow vehicle. Exhibits: None. Page 31
9. Consider approving annual contract renewals between the City of Lawton and the following: County Commissioners (re: Juvenile Detention Center); J. Roy Dunning (re: Children's Shelter); and Roadback (re: Detoxification Center); Lawton Crimestoppers, Inc. (re: Funds from sale of property in police custody.) Exhibits: Copies of contracts are located in the City Clerk's Office for review. Page 32
10. Consider adopting a resolution extending the present five percent (5%) Emergency Telephone fee through June 30, 2008. Exhibits: Resolution 07-____. Page 33
11. Consider accepting the Elmer Thomas Park Stage Construction Project #2006-13 as constructed by H.G. Jenkins Construction, Inc. and placing the Maintenance Bond into effect. Exhibits: None. Page 36
12. Consider approving an agreement with Graham & Associates for professional engineering design services for the Lake Ellsworth Pump Station Electrical Project #2007-5. Exhibits: None. Page 37
13. Consider approving the annual Cooperative Agreement and an Agreement for Limited Funding between the City and Transit Trust to provide funds for the operation of a public transit system and authorize the Mayor and City Clerk to execute the same. Exhibits: Cooperative Agreement and Limited Funding Agreement are on file in the City Clerk's office. Page 38
14. Consider approving the construction plans for an 8-inch waterline extension to serve Independence Place Apartments located at 3502 East Gore Boulevard. Exhibits: None. Page 39
15. Consider approving a Memorandum of Agreement between the Oklahoma State Department of Health and the City of Lawton for Public Health Services and authorize the Mayor and City Clerk to execute the document. Exhibits: Memorandum of Agreement on file in the City Clerk's office. Page 40
16. Consider accepting the Workforce Investment Act (WIA) – Youth Program Activities Grant from the South Central Oklahoma Workforce Investment Board (SCOWIB) for the FY 2007-2008. Exhibits: Youth Services: Education, Employment & Empowerment Budget (YS!E³) and YS!E³ Case Manager Duty Narrative. Page 41

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17. Consider approving Agreement for Limited Services with the Museum of the Great Plains. Exhibits: Agreement for Limited Services. Page 44
18. Consider awarding (CL07-037) Hydraulic Excavator, 15,000 lb. Class to C. L. Boyd Company, Inc., of Oklahoma City, OK. Exhibits: Department recommendation, abstract of bids. Page 49
19. Consider awarding (CL07-055) Cone Valve w/ Hydraulic Cylinder to Rodney Hunt Company, Inc., of Orange, MA. Exhibits: Department recommendation, abstract of bids. Page 54
20. Consider awarding (RFPCL07-051) Rental or Lease of Work Clothing to Cintas Corporation of Lawton, OK. Exhibits: Department recommendation, cost comparison. Page 58
21. Consider awarding (CL07-057) 12” High-Pressure Pumping Unit to Kinnunen Sales and Rental of Stillwater, OK. Exhibits: Department recommendation, abstract of bids. Page 62
22. Consider extending the contract (CL07-002) Lawton Arts & Entertainment Magazine with ColorGraphics “THE PRINT SHOP”, Inc., of Lawton, OK. Exhibits: Department Recommendation, Price Bid Sheet, Contract Extension Form. Page 68
23. Consider extending the contract (CL06-066) Rental of Portable Restrooms with ARA Equipment Rentals of Lawton, OK. Exhibits: Department Recommendation, Price Bid Sheet, Contract Extension Form. Page 72
24. Consider extending the contract (CL06-064) Liquid Oxygen with Airgas Mid South, Inc., of Tulsa, OK. Exhibits: Department Recommendation, Price Bid Sheet, Contract Extension Form. Page 76
25. Consider extending the contract (CL07-001) Precast Concrete Manholes with Nance Precast Concrete Products of Piedmont, OK. Exhibits: Department Recommendation, Price Bid Sheet, Contract Extension Form. Page 80
26. Consider approving appointments to boards and commissions. Exhibits: None Page 84
27. Consider approval of payroll for the period of June 4 – 17, 2007.

BUSINESS ITEMS:

28. 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 85
29. Discuss and consider reimbursement in the amount of \$24,412.87 for financial loss caused by flooding and overflow from the drainage canal on two occasions, occurring March 29, 2007 and May 7, 2007, to the Lawton Community Theater housed in the City owned building, 1316 NW Bell Avenue, and take action as deemed necessary. Exhibits: Letter from Lawton Community Theater President Elect Alan Jolly, June 13, 2007 and Estimates for repairs and restoration to the theater. Page 88

30. Consider an ordinance pertaining to restrictions on skateboards, roller skates, and in-line skates, creating Section 19-7-713, Article 19-7, Chapter 19, Lawton City Code, 2005, imposing restrictions on the use of skateboards, roller skates and in - line skates on City property, providing for severability, codification, and declaring an emergency. Exhibits: Ordinance 2007-____. Page 95

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

EXECUTIVE SESSION ITEMS

31. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2007-2008 between the Police Union, IUPA, Local 24, and the City of Lawton, and take appropriate action in open session. Exhibits: None. Page 98
32. Pursuant to Section 307B.2&4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations concerning employees and representatives of employee groups and the proceedings in American Federation of State, County, and Municipal Employees Union vs. City of Lawton, Oklahoma, PERB No. M1400, and if necessary, take appropriate action in open session. Exhibits: None. Page 99
33. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss reopening negotiations for a Collective Bargaining Agreement for FY 2007-2008 between the Fire Union IAFF, Local 1882, and the City of Lawton, and take appropriate action in open session. Exhibits: None. Page 100

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."