

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JULY 10, 2007 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF CITIZEN OF THE MONTH FOR JUNE 2007.

AUDIENCE PARTICIPATION: Anyone having an item of business to present to the City Council that does not appear on the agenda, please come forward at this time.

CONSENT AGENDA: The following items are considered to be routine by the City Council and will be enacted with one motion. Should discussion be desired on an item, that item will be removed from the Consent Agenda prior to action and considered separately.

1. Consider the following damage claim recommended for approval and consider passage of the resolution authorizing the City Attorney to file a friendly suit for the claim which is over \$400.00: Patrick and Celeste Culver in the amount of \$1,280.30. Exhibits: Legal Opinions/Recommendations and Resolution No. _____. Page 1
2. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in directing our third party administrator to make payment on the judgment in the Workers' Compensation case of Fred Alexander in the Workers' Compensation Court, Case No. 2006-13448 A. Exhibits: Resolution No. 2007-____. Page 6
3. Consider approving the Contract for Sale of surplus property located at 611 SW Bishop Road to 611 Bishop Road Properties, LLC., in the amount of Thirty-Six Thousand Five Hundred Dollars (\$36,500.00), and authorize the Mayor and City Clerk to execute the Contract for Sale and a Quit Claim Deed. Exhibits: The Contract for Sale and Quit Claim Deed are on file in the City Clerk's office. Page 9
4. Consider accepting a contract proposal submitted by Carter & Burgess to provide professional services for the Lawton-Fort Sill Regional Growth Management Plan to be funded by the Department of Defense, Office of Economic Adjustment (OEA) Grant and authorize the Mayor and City Clerk to execute necessary documents. Exhibits: Proposal letter from Carter & Burgess, dated May 30, 2007, Carter & Burgess Work Program. Carter & Burgess, Inc., Proposed Contract is available for review in City Clerk's Office. Page 10
5. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, to amend boathouse fees at Lake Lawtonka and Lake Ellsworth and establishing an effective date. Exhibits: Proposed Resolution is on file with the City Clerk. Page 16
6. Approval for Arts & Humanities Division to accept the Local Government Challenge Grant from the Oklahoma Arts Council for the FY 2007-08. Exhibits: None. Page 17
7. Consider approving contracts for the Co-Sponsorship Grant Program. Exhibits: Contracts on file in City Clerk's office. Page 18

8. Consider adopting the new non-exclusive license agreement extending the bus bench contract between the City of Lawton and PinHigh Investments of Lawton, Inc. and authorize the Mayor to execute. Exhibits: Non-Exclusive License agreement between the City of Lawton & PinHigh Investments of Lawton, Inc. on file in the Office of the City Clerk. Page 19
9. Consider approving the record plat for Shelter Creek Estates, Part 3, and accepting the improvements, escrow agreement in lieu of completed improvements, maintenance bonds, and money in lieu of park land. Exhibits: Plat Map. Escrow Agreement and Maintenance Bonds are on file in the City Clerk's Office. Page 20
10. Consider approving a credit adjustment in the amount of \$808.80 to Leonor D. Watkins' utility account #0301454039 for the property at 3108 SW Wolf Avenue for an undetected, underground leak on the customer's water service line. Exhibits: Billing statement from Vernon Construction dated 01/09/2007 and Billing statement from R & G Plumbing dated 01/25/2007. Page 22
11. Consider approving a credit adjustment in the amount of \$1,398.74 to Alan T. Williams' utility account #0502045065 for the property at 6757 NW Compass Drive for an undetected, underground leak on the customer's water service line. Exhibits: Invoice from Wichita-Snider Mechanical dated 3/19/2007, Repair Query received from Water Distribution Division indicating customer notified on 3/18 and 3/19/07 about service line leak. Page 25
12. Consider approving the transfer of a Taxicab Certificate of Public Necessity and Convenience from Faye Thompson dba AAA Cab Company to Bret K. Splawn and Chire A. Breitigan, and if the transfer is approved, revoke the Taxicab Certificate of Public Necessity and Convenience issued to Faye Thompson dba AAA Cab Company. Exhibits: Statement of applicants. Application and proof of financial responsibility on file in the City Clerk's office. Page 28
13. Consider acknowledging receipt of a Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 950 linear feet of ten (10) inch D.I. water line and all appurtenances to serve the NE 34th Street and E Gore Area, located in the SE/4 of the SW/4 of Section 27, T-2-N, R-11-W, I.M., Comanche County, Oklahoma. Exhibits: Permit to Construct on file in the City Clerk's office. Page 31
14. Consider acknowledging receipt of a Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 592 linear feet of twelve (12) inch PVC water line and all appurtenances to serve the Southwest Plaza located in the 7600 block of NW Cache Road, SE/4 of the SW/4 of Section 20, T-2-N, R-12-W, I.M., Comanche County, Oklahoma. Exhibits: Permit to Construct on file in the City Clerk's office. Page 32
15. Consider acknowledging receipt of a Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 118 linear feet of eight (8) inch PVC gravity sewer line and all appurtenances to serve the Standard Testing Development facility, located at SE 2nd Street and J Avenue, in the SW/4 of Section 32, T-2-N, R-11-W, I.M., Comanche County, Oklahoma. Exhibits: Permit to Construct on file in the City Clerk's office. Page 33

16. Consider awarding a construction contract to Triangle Excavating Co. for the Water Infrastructure Improvement Phase 1 (Lines) Project #2006-8 located from the new SEWTP to the proposed tower at the intersection of SE Bishop Road & SE 45th Street and to south of the VA Hospital on Flower Mound Road. Exhibits: None. Page 34
17. Consider approving the Proposed Cooperative Program and Memorandum Agreement between the Oklahoma Water Resources Board, the U.S. Geological Survey and the City of Lawton for lake and stream level gauging and authorize the Mayor and City Clerk to execute the agreement. Exhibits: Proposed Cooperative Program and Memorandum Agreement (on file with the City Clerk). Page 36
18. Consider adopting a Resolution authorizing the installation/removal of traffic control measures along the 500 block of SW 18th Street; NW 67th Street north of NW Westmont Circle and NW Taylor Avenue; the intersection of NW 72nd Street, NW Lawton Avenue, and NW Hunter Avenue; and NW 38th Street between NW 40th Street and Santa Fe Avenue near the Learning Tree Academy and Holy Cross Lutheran Church. Exhibits: Traffic Commission Minutes, Traffic Issue Requests, and Resolution No. 07-___. Page 37
19. Consider denying the request for installation of traffic control measures at the intersection of NW Euclid Avenue and NW Columbia Avenue; and along the 700 block of SW 45th Street across from Country Club Heights Elementary School. Exhibits: Traffic Commission Minutes, Traffic Issue Requests. Page 51
20. Consider awarding (CL07-058) Easement Rodder to Instrument & Supply SW, Inc., of Sand Springs, OK. Exhibits: Department recommendation, abstract of bids. Page 61
21. Consider extending the contract (RFPC05-061) Banking Services with IBC Bank of Lawton, OK. Exhibits: Department Recommendation, Cost Comparison Memo, Contract Extension Form. Page 64
22. Consider extending the contract (CL05-062) Liquid Sulfur Dioxide with Brenntag Southwest of Sand Springs, OK. Exhibits: Department Recommendation, Price Bid Sheet, Contract Extension Form. Page 68
23. Consider approving appointments to boards and commissions. Exhibits: None Page 72
24. Consider approval of payroll for the period of June 18 – July 1, 2007.

BUSINESS ITEMS:

25. Consider an ordinance pertaining to the Employee Advisory Committee (EAC), Amending Section 17-1-1-102, Division 17-1-1, Article 17-1, Chapter 17, Lawton City Code, 2005; Amending Section 17-1-4-143, Division 17-1-4, Article 17-1, Chapter 17, Lawton City Code, 2005; Amending Section 17-1-7-174, Division 17-1-7, Article 17-1, Chapter 17, Lawton City Code, 2005; Repealing and reserving Sections 17-2-9-201 through 17-2-9-218, Division 17-2-9, Article 17-2, Chapter 17, Lawton City Code, 2005; Amending Section 17-2-11-243, Division 17-2-11, Article 17-2, Chapter 17, Lawton City Code, 2005; Amending Sections 17-3-4-339 and 17-3-4-354, Division 17-3-4, Article 17-3, Chapter 17, Lawton City Code, 2005; for the purpose of abolishing the EAC and deleting all references to said committee from the City Code; providing for severability and declaring an emergency. Exhibits: Ordinance 2007-___. Page 73

26. Consider rejecting the bid for (CL07-059) Prairie Dog Removal & Relocation. Exhibits: Department recommendation, abstract of bids. Page 92
27. Consider an ordinance pertaining to recreation amending Section 19-4-410, Article 19-4, Chapter 19, Lawton City Code, 2005, by prohibiting the feeding of prairie dogs, providing for severability and declaring an emergency. Exhibits: Ordinance 07-____. Page 96
28. Consider an ordinance pertaining to animals amending Section 5-1-101, Article 5-1, Chapter 5, Lawton City Code, 2005, and creating Sections 5-6-601 and 602, Article 5-6, Chapter 5 to identify circumstances requiring special measures for the prevention of animal attacks/bites and authorizing the imposition of such measures for such purposes, providing for severability, codification, and declaring an emergency. Exhibits: Ordinance 2007-____. Page 98
29. Consider an ordinance amending Section 5-1-101, Article 5-1, Chapter 5, and adding Section 5-1-106.1, Article 5-1, Chapter 5, Lawton City Code, 2005, by providing definitions for a Commercial Advertising/Transfer permit and pet shops, and authorizing pet shops to sell, trade, advertise, receive for any compensation or to give away or transfer ownership a limit of fifty (50) dogs or cats per permit, with a maximum of four (4) permits per year, providing for severability, codification, and declaring an emergency. Exhibits: Ordinance 2007-____. Page 105
30. Discuss options for the upcoming sales tax election scheduled for October 9, 2007 to fund infrastructure projects needed to support anticipated population growth as a result of recent BRAC announcements made by the Department of Defense and Fort Sill and take appropriate action as necessary. Exhibits: Informational Fact Sheet dated March 1, 2007, Ordinance No. 07-04, Resolution 07-06 and Resolution 07-07. Page 111

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

EXECUTIVE SESSION ITEMS

31. Pursuant to Section 307B.3&D, Title 25, Oklahoma Statutes, consider convening in executive session to discuss appraisals and possible sale of City property located at 1210 SW G Avenue, 617 SW 26th Street, and 1706 SW B Avenue, and if necessary, take appropriate action in open session. Exhibits: None. Page 123
32. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending claim by Debra Pittenger, and if necessary, take appropriate action in open session. Exhibits: None. Page 124
33. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the evaluation review of John H. Vincent, Jr. as City Attorney, and if necessary, take appropriate action in open session. Exhibits: None. Page 125

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."

