

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
AUGUST 25, 2020 – 2:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Stan Booker, Mayor

Also Present:
Michael Cleghorn, City Manager
Tim Wilson, Acting City Attorney
Traci Hushbeck, City Clerk
COL Rhett A. Taylor, Fort Sill Liaison

Mayor Booker called the meeting to order at 2:04 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 Allan Hampton, followed by the Pledge of Allegiance

ROLL CALL

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

ABSENT: None

EMPLOYEE SPOTLIGHT PRESENTATION TO MEGAN LOFTIS – HUMAN RESOURCES DEPARTMENT

Cleghorn recognized Megan Loftis for her outstanding work.

AUDIENCE PARTICIPATION:

Paul Greene, 806 NW 52nd, stated the mask mandate is not necessary because if there is a need to interact with a person at risk, he would happily take those necessary steps. He is addressing this body in regard to the freedom and rights that he feels are being violated and taken from many members of this community. He is requesting that the mandate be lifted or at least not extended. He feels it is his choice to wear a mask or not. If he enters a business or the home of someone that is at risk, he would happily wear one and he has. Then it would be his choice. He would be able to shop at anyplace he wanted. At this juncture he has personally chosen to take his business and tax dollars outside of Lawton.

Todd Patchett, 620 E Avenue, stated it is not about wearing a mask, it is not about your rights, it is about respect. Lawton needs to have a positive image and we are mandating rules and giving people the right to control people and that does not give respect to every citizen. Everyone should have a right to speak, a right to shop and feel comfortable in their city.

REPORTS: MAYOR/CITY COUNCIL

Chapman stated they had 40 people show up to the first neighborhood watch meeting for the Meadowbrook/Heinzewood area.

Hampton recognized Library Director Kristen Herr for all her hard work in obtaining grants for the library.

Johnson reminded citizens to complete the census.

Warren reminded everyone about driving in school zones.

Mayor Booker welcomed COL Rhett Taylor, representing Fort Sill.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETING OF JULY 28, 2020.

MOVED by Burk SECOND by Chapman, to approve minutes of July 28, 2020. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

CONSENT AGENDA:

Hankins stated she would like to strike #5 and pull item #14 for discussion.

Hampton stated he would like discussion on items #8, #16 and #21.

Mayor Booker stated they will pull items #11 and #15 and strike item #17

MOVED by Warren SECOND by Burk, to approve the consent agenda with the exception of items #8, #11, #14, #15, #16 and #21 and striking item #5 and #17. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

1. Consider the following damage claim recommended for approval: Tanya Conerly in the reduced amount of \$2,500.00. Exhibits: Legal Opinion/Recommendation and **Resolution 20-72.**
2. Consider renewing a professional services agreement retroactive to July 1, 2020 retaining the law firm of Hawkins, Delafield & Wood LLP as Disclosure Counsel in connection with the issuance of the City's General Obligation and other Bonds that must comply with applicable municipal securities regulations including continuing disclosure

requirements regarding the City's financial statements and annual financial information/operating data relating to each Bond Issue. Exhibits: Letter of Engagement from Hawkins, Delafield & Wood LLP

3. Consider approving an Agreement for Limited Services between the Lawton Enhancement Trust Authority and the City of Lawton to fund beautification activities designed to encourage, promote and foster economic development in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Agreement for Limited Services and LETA 2020/2021 Final Budget.
4. Consider accepting a Grant Agreement for the Lawton-Ft Sill Regional Airport in the amount of \$2,404,891 for Runway Rehab and Underdrain Project. Exhibits: None.
5. Consider approving an Agreement for Limited Services between the Museum of the Great Plains Trust Authority and the City of Lawton to fund the continued operation of the Museum and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement with Budget. **STRICKEN**
6. Consider approving an agreement between Lawton Public Schools (LPS) and the City of Lawton for the purpose of mutually sharing respective facilities for the benefit of each other and the citizens of Lawton. Exhibits: Lawton Public Schools Facility Usage Agreement.
7. Consider renewing a professional services agreement with BKD, LLP (BKD) for the City's annual auditing services for FY 2019-2020, including the City's required single audit of expenditures from federal financial awards. Exhibits: BKD's engagement letter outlining its professional services agreement with the City for auditing services is on file in the City Clerk's office.
8. Consider authorizing funding in the amount of \$10,000 for promotional materials, advertising, equipment and/or general items involved in Lawton Census Week 2020 and the general promotion of the 2020 Census in the Lawton community. Exhibits: None.

Tiffany Vrska, Community Relations Director, stated to date, Lawton is behind the county, state and national count. Lawton is at 54.9%. Staff has put together a marketing plan with community partners to make sure we get our community counted so we can fund things like highway and road improvement projects, mental health services, school lunch programs, etc. There are 132 federal programs that receive funding and they are localized here. If our county is even behind by 5% we could lose out on more than \$247 million over the next ten years. Lawton census week will kick off on August 30th.

Hampton stated this is vital for the next 10 years and he feels this is a very tight budget and he suggested they add an additional \$10,000.

Warren stated they really need to get behind this. We don't have enough in our own tax base to make some of these projects happen.

Paul Greene, 806 NW 52nd, questioned where the funding comes from.

Mayor Booker stated it comes from the economic development funds from hotel/motel tax. This is a great return for this money.

MOVED by Hampton SECOND by Warren, to authorize funding up to the amount of \$20,000 for promotional materials, advertising, equipment and/or general items involved in Lawton Census Week 2020 and the general promotion of the 2020 Census in the Lawton community. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

9. Consider allowing the City of Lawton Police department to purchase up to one hundred eCitation – Brazos Rapid Extension Framework PDA with related licenses, software, and services at a purchase price of \$307,886. Exhibits: Pricing Proposal from Tyler Brazos.
10. Consider accepting a donation and approving a resolution amending the City of Lawton FY20-21 budget, by appropriating a \$6,263.00 donation to the Library from the Friends of the Library to be designated for library-related activities, meeting room upgrades, and public movie license. Exhibits: **Resolution 20-73**.
11. Consider accepting the CARES ACT Digital Inclusion grant of \$5,035.00 from the Oklahoma Department of Libraries for the purpose of increasing digital inclusion in our community and authorizing the City Manager to sign. Exhibits: None.

Paul Greene, 806 NW 52nd, questioned if this will be used in both branches of the library.

Warren stated this money will be used for the digital portion of the library.

MOVED by Warren SECOND by Burk, to accept the CARES ACT Digital Inclusion grant of \$5,035.00 from the Oklahoma Department of Libraries. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

12. Consider accepting Libraries Lead with Digital Skills grant of \$2,000.00 from the Public Library Association for the purpose of purchasing resources to integrate into virtual library services at the Lawton Public Library. Exhibits: None.
13. Consider accepting the Adult Literacy grant of \$5,719.00 from the Oklahoma Department of Libraries for adult literacy materials and supplies. Exhibits: None.
14. Consider accepting Fiscal Year 20-21 Grant funds in the amount of \$47,500.00 from the Federal Corporation for National and Community Services (CNCS) for the Retired and Senior Volunteer Program. Exhibits: Federal CNCS Notice of Grant Award.

Jessica Musselman, RSVP Administrator, briefed the council on the Retired and Senior Volunteer Program.

Hankins complimented Jessica on the job she does with the program.

Hampton encouraged citizens to volunteer for this program.

MOVED by Warren SECOND by Hankins, to accept Fiscal Year 20-21 Grant funds in the amount of \$47,500.00 from the Federal Corporation for National and Community Services for the Retired and Senior Volunteer Program. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

15. Consider approving an Agreement between the City of Lawton, the Lawton Water Authority, and the Board of County Commissioners of Comanche County, Oklahoma, pertaining to the collection and disposal of trash dumped in County right-of-ways, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement.

Mayor Booker stated they need the same motion amending the agreement.

Hankins stated they needed to include the language to state there would be no charge for tipping fees and gate fees.

MOVED by Hankins SECOND by Burk, to approve an amended agreement between the City of Lawton, the Lawton Water Authority, and the Board of County Commissioners of Comanche County, Oklahoma, pertaining to the collection and disposal of trash dumped in County right-of-ways. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

16. Consider authorizing a piggybacking agreement between the Board of Education of Independent School District No. 8, Comanche County Oklahoma, the City, and Merritt Tennis and Track Systems to refurbish and/or replace up to seventeen (17) tennis courts located at seven (7) locations throughout the City and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement.

Hampton stated this will be an economic boost to our community and a great support to our children who are in a tennis program. He thanked staff for working with LPS to get this done. He spoke with a contact and was told that four tournaments will be moved to Lawton.

Cleghorn thanked legal staff for putting this together. We have never done a contract like this before.

MOVED by Hankins SECOND by Chapman, to approve an agreement between the Board of Education of Independent School District No. 8, Comanche County Oklahoma, the City, and Merritt Tennis and Track Systems to refurbish and/or replace up to seventeen tennis courts located at seven locations throughout the City. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

17. Consider approving the purchase of distance learning training software. Exhibits: None.
STRICKEN
18. Consider accepting a temporary easement from Neville C. Abram Sr., a single person, for right of way needed for the 2017 Ad Valorem Streets Phase 1, Project #2017-07 and authorize the Mayor and City Clerk to execute the document. Exhibits: Document is on file in the City Clerk's office.
19. Consider accepting a temporary easement from Bernadette Childress, a single person, for right of way needed for the 2017 Ad Valorem Streets Phase 1, Project #2017-07 and authorize the Mayor and City Clerk to execute the document. Exhibits: Document is on file in the City Clerk's office.
20. Consider accepting a temporary easement from Reba Rochelle, a single person, for right of way needed for the 2017 Ad Valorem Streets Phase 1, Project #2017-07 and authorize the Mayor and City Clerk to execute the document. Exhibits: Document is on file in the City Clerk's office.
21. Consider approving Change Order No. 3 and accepting the SW 52nd Street Reconstruction – Stillwater Central Railroad north to W. Gore Boulevard Project #2012-04 as constructed by T&G Construction, Inc. and placing the Maintenance Bond into effect. Exhibits: Change Order #3.

Joe Painter, Engineering Director, stated this is the final change order closing out the 52nd Street Project. It is reconciling the contract days and the contract amounts to come up with the final payment to the contractor. They did go into liquidated damages and we did charge them 264 days and we subtracted their liquidated damages out of their final payment.

MOVED by Hampton SECOND by Fortenbaugh, to approve Change Order No. 3 and accepting the SW 52nd Street Reconstruction – Stillwater Central Railroad north to W. Gore Boulevard Project #2012-04 as constructed by T&G Construction, Inc. and placing the Maintenance Bond into effect.. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

22. Consider award of construction contract to Logos Construction Co., LLC for the Emergency Repair Project 11th Street Over Wolf Creek - Project #2020-01. Exhibits: Bid Tabulation. Contract is on file in the City Clerk's office.
23. Consider extending contract for (RFPCL17-025) Cellular Telephone Service to U.S. Cellular of Tulsa, OK on a month to month term. Exhibits: Department Recommendation, Contract Extension Form, Price Sheets.
24. Consider extending contract (RFPCL18-049) Temporary Employment Services to Express Employment Professionals of Lawton, OK for an additional year. Exhibits: Department Recommendation, Contract Extensions Forms, Price Sheets.

25. Consider extending contract (CL19-001) Mowing and Litter Area 1 to Adult and Teen Challenge of Oklahoma of Cache, OK for an additional year. Exhibits: Department Recommendation, Contract Extensions Form, Price Sheet.
26. Consider extending contract (CL19-032) Jail Food and Supplies to Stephenson Wholesale Co., dba Indian Nation Wholesale of Durant, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
27. Consider extending contract (CL19-034) Sulfuric Acid to Water Tech, Inc. of McAlester, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
28. Consider extending contract (CL20-001) Precast Concrete Manholes (Large) to Primary Structure of Guthrie, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
29. Consider awarding contract (CL20-028) Liquid Aluminum Sulfate to Chameleon Industries, Inc of Mesquite, TX. Exhibits: Department Recommendation, Abstract of Bids, Price Sheets.
30. Consider awarding contract (CL21-001) Liquid Oxygen to Airgas USA, LLC of Tulsa, OK. Exhibits: Department Recommendation, Abstract of Bids, Price Sheets.
31. Consider approving appointments to boards and commissions. Exhibits: None.

Lakes and Land Commission

Dustin Hillary
New Member
8/25/23

Mayor's Commission On The Status Of Women

Susan Hargraves Thompson
Ward 6
New Member
Unexpired Term 09/22/21

NEW BUSINESS ITEMS:

32. Receive a report on dilapidated structures and hold a public hearing and adopt a resolution declaring the structures located at 414 NW Euclid Avenue, 1902 SW D Avenue, 1328 SW Monroe Avenue, 1503 NW Arlington Avenue, 1207 SW I Avenue, 803 SW Summit Avenue, 4523 SW G Avenue, and 2213 NW 46th Street to be dilapidated pursuant to Section 6-5-1 Lawton City Code, ordering the owner to abate the nuisance, authorizing summary abatement, and authorizing the City Attorney to commence legal action in District Court to abate the nuisance. Exhibits: Resolution and exhibits for the property.

Corey Bowen, Neighborhood Services Supervisor, stated this will be the last time dilapidated properties will appear on a regular council meeting. They have a tentative special meeting scheduled for October 20th just for D&D hearings.

414 NW Euclid Avenue

Bowen reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since 2017. Bowen presented photographs of the property

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

MOVED by Hampton SECOND by Burk, to adopt **Resolution 20-74** declaring the structure located at 414 NW Euclid Avenue to be a dilapidated public nuisance. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

1902 SW D Avenue

Bowen reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since 2014. Bowen presented photographs of the property

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

MOVED by Hampton SECOND by Burk, to adopt **Resolution 20-75** declaring the structure located at 1902 SW D Avenue to be a dilapidated public nuisance. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

1328 SW Monroe Avenue

Bowen reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since 2002. Bowen presented photographs of the property

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

MOVED by Johnson SECOND by Warren, to adopt **Resolution 20-76** declaring the structure located at 1328 SW Monroe Avenue to be a dilapidated public nuisance. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

1503 NW Arlington Avenue

Bowen reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since 2014. Bowen presented photographs of the property

PUBLIC HEARING OPENED.

Ms. Wyonna Alberty, 1505 NW Arlington Avenue, stated she lives next door and it has not been rented since 2017. There are all kinds of animals living in this yard and a tree that is about to fall down. They have called the City many times.

Joshua Hale, 8 Bittersweet Lane, stated he is the property owner and he does plan on fixing it up.

Burk stated he needs to pull permits and get started.

Mr. Hale questioned if they need a permit to cut the grass and trees.

Burk stated no, but he will need to fix up the property. We do have code requirements for high grass and weeds.

Mr. Hale stated he does not intend to do anything with the property besides the outside. He does not intend to rent it out.

Burk stated if the property is place on the D&D list he will need to get the property up to code. It can't just be an empty structure.

Mr. Hale questioned if the council would rather have an empty lot with no one paying taxes?

Burk stated Mr. Hale will have an opportunity to fix it if he wants.

PUBLIC HEARING CLOSED.

MOVED by Hampton SECOND by Burk, to adopt **Resolution 20-77** declaring the structure located at 1503 NW Arlington Avenue to be a dilapidated public nuisance. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

1207 SW I Avenue

Bowen reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since 2004. Bowen presented photographs of the property

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

MOVED by Hampton SECOND by Burk, to adopt **Resolution 20-78** declaring the structure located at 1207 SW I Avenue to be a dilapidated public nuisance. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

803 SW Summit Avenue

Bowen stated this was a fire damaged structure but the homeowner has demolished the structure.

Mayor Booker stated no action is necessary.

4523 SW G Avenue

Bowen reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since 2018. Bowen presented photographs of the property

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

MOVED by Chapman SECOND by Burk, to adopt **Resolution 20-79** declaring the structure located at 4523 SW G Avenue to be a dilapidated public nuisance. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

2213 NW 46th Street

Bowen reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since 2017. Bowen presented photographs of the property

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

MOVED by Hankins SECOND by Chapman, to adopt **Resolution 20-80** declaring the structure located at 2213 NW 46th Street to be a dilapidated public nuisance. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

Mayor Booker stated we are using CIP money to accelerate this program. Cleaning up our neighborhoods will change the dynamic and help with the crime issues.

33. Consider approving a Memorandum of Agreement for the period of July 1, 2020, to September 30, 2020, between the Comanche County Health Department and the City of Lawton for public health services and authorize the Mayor and City Clerk to execute the document. Exhibits: Memorandum of Agreement.

Richard Rogalski, Deputy City Manager, stated the Memorandum of Agreement is for the enforcement of the City's health-related ordinances, specifically, for providing food handler training classes and inspections services of food services establishments. The City has held an agreement with the Comanche County Health Department (CCHD) since 2004. This agreement will start retroactive on July 1, 2020 and expire on September 30, 2020. This agreement will continue the City paying CCHD \$250.00 per class that they are teaching. On October 1, 2020, a new agreement with CCHD will start.

MOVED by Burk SECOND by Warren, to approve a Memorandum of Agreement for the period of July 1, 2020, to September 30, 2020, between the Comanche County Health Department and the City of Lawton for public health services. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

34. Consider an ordinance amending Sections 12-1-104, 12-1-107 and 12-1-109, Chapter 12, Lawton City Code, 2015, by changing the food handler's certifications to be issued by the health department; providing for enforcement action for expired or not issued food

handler's certification to be handled by the Code Administrator Official; providing for severability and establishing an effective date. Exhibits: Ordinance 20-____.

Rogalski stated the proposed ordinance addresses the issuance of the food handler's certifications. Currently the City of Lawton License and Permit's Division handles all of the applications and the money for the food handler's certifications. This ordinance and the agreement between the Comanche County Health Department and the City of Lawton will turn all of the issuing of the food handler's certifications over to the Comanche County Health Department. The ordinance also specifies that if a food handler's certification is found to be expired or if an individual does not obtain one, the enforcement will be handled by the Code Administrator Official. It also specifies that if more than 60% of a food services establishment is found to be without food handler's certifications, the establishment may be closed until they come into compliance. This ordinance will be effective as of October 1, 2020.

Fortenbaugh stated we have a good system now with our county health inspectors. He questioned if the fee has changed.

Rogalski stated no, this just changes the administrative process of giving the class.

Fortenbaugh stated he does not see anything about a grace period. Turnover is incredible so you are constantly sending people here for training and there is only one class in the afternoon with the rest in the morning. If he hired someone today, it could be a month before they get into that class. They need to have a reasonable amount of time to get that certification. He suggested 30 days.

Rogalski suggested the council approve this item and then staff can bring back an item to include a grace period for a new employee.

MOVED by Fortenbaugh SECOND by Chapman to adopt **Ordinance 20-13**, waive the reading of the ordinance, read the title only and establishing an effective date of October 1, 2020. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 20-13

An ordinance pertaining to food and food establishments amending Sections 12-1-104, 12-1-107 and 12-1-109, Chapter 12, Lawton City Code, 2015, changing the food handler's certification to be issued by the health department; providing for enforcement action for expired or not issued food handler's certification to be handled by the code administrator official; providing for severability; and establishing an effective date.

35. Consider approving a Memorandum of Agreement for the period of October 1, 2020, to June 30, 2021, between the Comanche County Health Department and the City of Lawton for public health services and authorize the Mayor and City Clerk to execute the document. Exhibits: Memorandum of Agreement.

Rogalski stated this just extends the agreement. This agreement will start October 1, 2020 and expire on June 30, 2021.

MOVED by Burk SECOND by Fortenbaugh to approve a Memorandum of Agreement for the period of October 1, 2020, to June 30, 2021, between the Comanche County Health Department and the City of Lawton for public health services. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

36. Consider an ordinance pertaining to Other Fees and Charges creating Section 10-10-1002, Article 10-10, Chapter 10, Lawton City Code 2015, to implement fees for online payments and in-person credit/debit card payments, providing for severability and establishing an effective date. Exhibits: Ordinance 20-____.

Kara Haynes, Finance Director, stated this item as well as item #37 has a correction. The commentary states the fee will be \$3.75, but the fee is actually \$3.25. These are fees that are associated with our new merchant services agreement. Our current agreement will end September 30, 2020. On August 11, 2020, Council approved a Merchant Services Agreement between the City of Lawton and Tyler Technologies, Incorporated (Tyler) that included standard convenience fees. The Tyler solution will support city-wide payment options for over the counter and online services. These services include online payments with Oklahoma's standard processing fee of \$3.25 for residential utility bills and a variable 2.75% fee for credit/debit card services.

Cleghorn stated there will be terminals throughout the City to provide the convenience for our customers.

MOVED by Burk SECOND by Jackson to adopt **Ordinance 20-14**, 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 20-14

An ordinance pertaining to other fees and charges creating Section 10-10-1002, Article 10-10, Chapter 10, Lawton City Code, 2015, to implement fees for online payment and in-person credit/debit card payments, providing for severability and establishing an effective date.

37. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2015, by adding fees for online payments and in-person credit/debit card payments, as set forth in Exhibit "A" of the resolution, and establishing an effective date. Exhibits: Resolution 2020-____ and Exhibit "A."

MOVED by Burk SECOND by Warren to approve **Resolution 20-81** amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2015, by adding fees for online payments and in-person credit/debit card payments, as set forth in Exhibit "A" of the resolution. AYE:

Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

38. Consider authorizing the City Manager to implement a plan allowing employees who were furloughed in May and June of 2020 a one-time option of selling sick and/or vacation leave, not to exceed the number of days the employee was furloughed, for the purpose of recompensing missed income. Exhibits: None.

Dewayne Burk, Human Resources Director, stated due to anticipated budgetary shortfalls attributed to COVID-19, the City took measures to help ensure financial stability, which included furloughing many general employees for one day in May and one day in June of 2020. Despite not being able to furlough all employees, the city was able to secure a savings of approximately \$151,482.00. Since that time, the City has become eligible for approximately \$7.2 million dollars of COVID-19 reimbursement funding through the CARES Act, which has provided some much-needed budgetary relief. This, coupled with the disparity of not all employees being furloughed—no public safety union employees were furloughed—staff is recommending that the furloughed employees be given an opportunity to recoup their financial loss due to the furlough days via a one-time option of selling vacation and/or sick leave. If authorized, affected employees would only be allowed to sell vacation and/or sick days for each day the employee experienced a furlough. The selling of any vacation and/or sick leave would be completely optional and only offered to employees who experienced a furlough during the months of May and June of 2020.

MOVED by Warren SECOND by Fortenbaugh to authorize the City Manager to implement a plan allowing employees who were furloughed in May and June of 2020 a one-time option of selling sick and/or vacation leave, not to exceed the number of days the employee was furloughed, for the purpose of recompensing missed income. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

ADDENDUM:

1. Consider a resolution approving the trust indenture creating the FIRES Innovation Science and Technology Accelerator Development Trust Authority; providing for appointment of the initial trustees, setting forth the purposes of the trust, the trust estate and powers of the trustees; authorizing the acceptance of the beneficial interest of the trust by the beneficiary, the City of Lawton; and authorizing execution of the trust indenture as appropriate. Exhibits: Resolution 20- ____ and FISTA Development Trust Indenture. This trust authority will be able to operate and take care of all day to day things that need to happen.

Burk stated this trust indenture needed to be created for the FIRES Innovation Science and Technology Accelerator Development Trust Authority

MOVED by Burk SECOND by Warren to approve **Resolution 20-82** approving the trust indenture creating the FIRES Innovation Science and Technology Accelerator Development Trust Authority; providing for appointment of the initial trustees, setting forth the purposes of the

trust, the trust estate and powers of the trustees; authorizing the acceptance of the beneficial interest of the trust by the beneficiary, the City of Lawton; and authorizing execution of the trust indenture as appropriate. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

STAFF REPORTS

Cleghorn briefed the council on the e-ticketing system for our police officers.

Kara Haynes, Finance Director, presented revenue and expenditure highlights for the period ending July 31, 2020. (On file in the City Clerk's office).

Billie Whipp, Interim Parks and Recreation Director, updated the council on the Parks Master Plan.

There being no further business to consider, the meeting adjourned at 3:31 p.m. upon motion, Second and roll call vote.

STAN BOOKER, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK