

AGENDA  
LAWTON CITY COUNCIL REGULAR MEETING  
AUGUST 28, 2012 - 6:00 P.M.  
NEW CITY HALL  
COUNCIL CHAMBERS/AUDITORIUM

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION ON VETERANS HOMELESS COUNT

PRESENTATION BY DR. TODD BRIDGES AND DR. JUAN LOPEZ

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 MEETING OF AUGUST 14, 2012.

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: Barbara Laughey in the amount of \$550.00. Exhibits: Legal Opinion/Recommendation, **Resolution No. 12-82.**
2. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of David Wiggins. Exhibits: **Resolution No. 12-83.**
3. Consider authorizing the City Attorney to accept the sum of Two Thousand Six Hundred Seventeen and 25/100 Dollars (\$2,617.25) for settlement of the City's subrogation interest in the personal injury case of Richard Baxter. Exhibits: None.
4. Consider adopting a resolution acknowledging termination of the contract between the City of Lawton and Department of Army, accepting the Keathley United States Army Reserve Center and all improvements thereto, and Authorizing the Mayor to sign the necessary documents. Exhibits: **Resolution No. 12-84** and Federal Governments Notice of Cancellation.
5. Consider approving an Assignment and Assumption of and First Amendment to the Sales Tax Rebate Agreement for Lawton Marketplace at 82<sup>nd</sup> and Quanah Parker Trailway, and authorize the Mayor and City Clerk to execute the amendment. Exhibits: Assignment and Assumption of and First Amendment to Sales Tax Rebate Agreement, Lawton Marketplace.

6. Consider approving the renewal of the annual agreement between the Center for Creative Living Corporation and the City of Lawton for services to senior citizens. Exhibits: Center for Creative Living Agreement.
7. Consider approving the renewal of the annual agreement between the Delta Nutrition Project and the City of Lawton. Exhibits: Lease Agreement.
8. Consider approving the renewal of the annual lease agreement between the City of Lawton and the Crossroads Youth and Family Services Center, Inc., dba, Crossroads Head Start/ Early Head Start. Exhibits: Lease Agreement.
9. Consider approving the annual agreement between the Lawton Mobile Meals, Inc and the City of Lawton for the specific purpose of preserving the health and welfare of homebound elderly and/or disabled citizens of Lawton, Oklahoma. Exhibits: Mobile Meals Agreement.
10. Consider approving Agreement for Limited Services with the Museum of the Great Plains. Exhibits: Agreement for Limited Services.
11. Consider accepting the donation from the Lawton Literacy Council to be designated for Literacy projects. Exhibits: Lawton Literacy Council letter & Minutes to City Council.
12. Consider authorizing a license agreement for the Public Library's use of RDA (Resource Description & Access) software. Exhibits: RDA Toolkit License Agreement.
13. Consider accepting the annual service/maintenance agreement authorizing Novalco to maintain the Library's automatic sliding doors. Exhibits: Novalco, Inc. Service/Maintenance Agreement.
14. Consider approving Council Policy No. 3-2 CITY OF LAWTON GENERAL EMPLOYEE INJURY PREVENTION PROGRAM, by amending the definitions of "Incident/Accident" and "Preventable", amending Section I. Safety Incentive Awards, subsection B. by requiring minimum training hours for each risk designation; subsection C. by redefining award items; and section IV. Disciplinary Action, subsection D by preventing an employee from being disciplined twice for the same incident/injury, providing for severability and establishing an effective date of September 27, 2012. Exhibits: Amended City Council Policy No. 3-2 City of Lawton General Employee Injury Prevention Program
15. Consider granting a permanent easement to Comanche County for additional right-of-way on NW Miller Road in the Northeast Quarter of Section Thirty-six, Township Four North, Range Thirteen West, I.M., Comanche County, Oklahoma. Exhibits: Location Map. Easement on file in City Clerk's Office.

16. Consider approving the temporary loan of a utility vehicle (pick-up truck) from NatGasCar LLC (17000 Saint Clair Avenue, Cleveland OH 4410) to the City of Lawton Equipment Maintenance Division for a period of two (2) to three (3) weeks and authorizing the Mayor and City Clerk to execute the Temporary Loan of Motor Vehicle Agreement. Exhibits: Agreement (On file at City Clerk's Office).
17. Consider adopting a Resolution of Necessity for real property acquisition for the SE Flower Mound Sewer Line Upgrade Project #2012-5. Exhibits: Location Map and **Resolution No. 12-85**. Resolution 12-\_\_\_\_\_ with Exhibit "A" is on file in the Engineering Division Office.
18. Consider extending contract (RFPCL11-001) Annual Audit-Employee Retirement Fund with Eide Baily of OKC, OK. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
19. Consider extending contract (CL12-008) Degreaser with Mid-American Research Chemical Corp. of Windthorst, TX. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
20. Consider awarding contract (CL13-006) Nomex Uniforms to Casco Industries of Oklahoma City, OK. Exhibits: Department recommendation, Abstract of Bids, Price Sheet.
21. Consider extending contract (CL11-002) Nuisance Abatement-West Side with Lawn Wizards of Lawton, OK. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
22. Consider extending contract (RFPCL12-001) Collection of Overdue Utility Bills with United Adjustment Corporation of Kentland, IN. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
23. Consider extending contract (CL12-007) Liquid Oxygen with Airgas USA, LLC of Tulsa, OK. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
24. Consider extending contract (CL12-006) Sulfuric Acid with Brenntag Southwest of Sand Springs, OK. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
25. Consider awarding contract (CL13-008) Cement Kiln Dust to Silver Star Construction Co. from Moore, OK. Exhibits: Department recommendation, Abstract of Bids, Price Sheet.
26. Consider approval of payroll for the period of August 6-19, 2012.

NEW BUSINESS ITEMS:

27. Hold a public hearing and consider an ordinance closing the portion of the alley between Lots 1 and 12, 13 and 14, Block 4, McClung Addition, located in the 800 block on the south side of SW Lee Boulevard and consider accepting public utility easements. Exhibits: **Ordinance No. 12-28** and Location Map. Utility Easements on file in City Clerk's Office.
28. Hold a public hearing and consider an ordinance closing the right-of-way of SW Tulane Avenue between SW University Drive and SW 27<sup>th</sup> Street. Exhibits: **Ordinance No. 12-29**, Application and Location Map.
29. Consider adopting a resolution approving a new Note of the Lawton Industrial Development Authority in the amount of not to exceed \$2,500,000 in aggregate amount for the purpose of replacing the existing note in the same amount and providing permanent financing of improvements to the downtown historical preservation site of the original Lawton High School to be used for City and conference purposes; waiving competitive bidding; approving documents including an Agreement of Support with the Authority; and other matters relating thereto. Exhibits: **Resolution 12-86** and Agreement of Support.
30. Consider a resolution authorizing the Mayor to execute a mortgage instrument concerning certain tracts of real property owned by the City of Lawton and located in the vicinity of NW 67<sup>th</sup> Street and Rogers Lane, and upon occurrence of certain conditions cause the mortgage instrument to be delivered to Liberty National Bank of Lawton, Oklahoma as security for the payment of that certain Lawton Industrial Development Authority remodel of the Original Lawton High School Bond Anticipation Note, Series 2012. Exhibits: Mortgage Document, Release of Mortgage Document and **Resolution No 12-87**.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

31. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending damage claim of Robert Truitt and if necessary, take appropriate action in open session. Exhibits: None.
32. Pursuant to Section 307B.(1) and (4), Title 25, Oklahoma Statutes, consider convening in executive session to discuss the case styled International Union of Police Associations Local 24 and International Association of Firefighters Local 1882 vs. City of Lawton, FMCS Case No. 10-56365-8, and if necessary, take appropriate action in open session. Exhibits: None.

33. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2012-2013 between the Police Union, IUPA Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None.
34. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session for the semiannual performance employee review of Traci L. Hushbeck as City Clerk, and in open session take other action as necessary. Exhibits: None.
35. Pursuant to Section 307B3 and C10, Title 25, Oklahoma Statutes, consider convening in executive session for the purposes of conferring on matters pertaining to economic development, including the purchase/transfer of property, incentive proposals, and financing in connection with the Lawton Downtown Redevelopment Project and other development projects under consideration in the City, and take appropriate action in open session as necessary. Exhibits: None.

## 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."