

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
SEPTEMBER 9, 2008 - 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 ROADBACK, INC.

PRESENTATION OF CITIZEN OF THE MONTH FOR AUGUST 2008 TO MARLENE PAYNE.

RECOGNITION OF CITY EMPLOYEES: MARDI REPASY – REVENUE SERVICES; TIM TAYLOR, JIMMY CROW, RICHARD WERSTEIN, BERNIE NAUMAN, STEVE GUERRERA, ALL OF LICENSE AND PERMIT.

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 claims recommended for approval and consider passage of the resolution authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Mike and Kim Spencer in the amount of \$1,051.48, H. Allen Johnson in the amount of \$111.59, Margariette M. Colby in the amount of \$198.70 and Heesun and Ronald Stanfield in the amount of \$525.00. Exhibits: Legal Opinions/Recommendations Resolution No. __, Resolution No. __. Page 1
2. Consider the following damage claims recommended for denial: Reynaldo and Irmtraud Alfar in the amount of \$4,607.73 and Linda Debose in the amount of \$528.20. Exhibits: Legal Opinions/Recommendations. Page 14
3. Consider adopting a resolution approving the settlement by a joint petition and making payment in the workers' compensation claim of Walter Lopez. Exhibits: Resolution No. 2008-__. Page 21
4. 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 Rebecca Nelson, Case No., CJ-2007-446, against the City of Lawton. Exhibit: Resolution No. 08-__. Page 23

5. Consider approving contract with Lance Burnett of Under the Influence Band to perform at the 2008 International Festival and authorize the Mayor and City Clerk to execute the agreement. Exhibit: Contract on file in City Clerk's office. Page 25
6. Consider terminating a portion of contract (CL08-045) Mowing and Litter Contract for Areas D, E, I, J, and K with Bruce Poindexter and approve Parks and Recreation Department to spot bid said mowing areas temporarily until a new contract can be awarded. Exhibits: None. Page 26
7. Consider rejecting bid proposals for the Storm Drainage Replacement Project #2008-10 and authorize staff to re-advertise. Exhibits: None. Page 28
8. Consider approving the construction plans for waterlines located on SE Interstate Drive and SE H Avenue. Exhibits: Location Map. Page 29
9. Consider approving the revised construction plat for Oak Ridge Addition, Part 1, subject to conditions. Exhibits: Plat Map. Page 31
10. Consider approving construction plans for a sewerline to serve the proposed Walgreens at SW 12th and Lee Boulevard. Exhibit: Location Map. Page 33
11. Consider approving Agreement for Limited Services with the Museum of the Great Plains. Exhibits: Agreement for Limited Services. Page 36
12. Consider approving an extension to the current lease agreement between the City of Lawton and Crossroads Youth and Family Services, Inc., dba, Crossroads Head Start/Early Head Start. Exhibits: Letter from Crossroads Youth and Family Services, Inc. Proposed Extension to the current Lease Agreement on file at the City Clerk's Office. Page 41
13. Consider approving a lease agreement between the City of Lawton and Crossroads Youth and Family Services, Inc., dba, Crossroads Head Start/Early Head Start. Exhibits: Letter from Crossroads Youth and Family Services, Inc. Proposed Lease Agreement on file at the City Clerk's Office. Page 45
14. Consider approving an indemnity agreement between the City of Lawton and Kim M. Smith who resides at 2620 NW 77th Street for the partial reimbursement of installation expense of a backflow prevention valve in accordance with Council Policy 6-3, and authorize the Mayor and City Clerk to execute the document. Exhibits: Agreement between City of Lawton and Kim M. Smith. Page 51
15. Consider approving a request to provide assistance to the Medicine Park Police Department as authorized by Title 11, Section 34-103A for the "Spirit of Survival Marathon". Exhibits: Copy of the Letter from the Medicine Park Police Department requesting our assistance and Title 11, Section 34-103A. Page 54
16. Consider awarding (CL09-003) Liquid Oxygen to Airgas Mid South Inc. of Tulsa, OK. Exhibits: Department recommendation, abstract of bids. Page 57

17. Consider awarding (CL09-002) Fluorosilicic Acid to Lucier Chemical Industries Ltd of Jacksonville Beach, FL. Exhibits: Department recommendation, abstract of bids. Page 60
18. Consider extending the contract (CL07-004) Tire Recapping with Mileage Masters of Oklahoma City, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 63
19. Consider extending the contract (CL08-010) Nuisance Abatement – West Side with TCB Services of Chattanooga, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 67
20. Consider awarding (CL09-004) Rental of Portable Restrooms to ARA Equipment Rentals of Lawton, OK. Exhibits: Department recommendation, abstract of bids. Page 71
21. Consider extending the contract (RFPCL07-010) Hardware/Software Support System with Atlantic Tech Services of Richfield, OH. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 74
22. Release Brenntag Southwest Inc. from contract CL08-032, Sodium Hydroxide and allow staff to re-bid and/or spot bid sodium hydroxide. Exhibits: Letter from Brenntag Southwest Inc. seeking release from the contract and proof of their supplier's price increases. Page 78
23. Release DPC Industries Inc. from contract CL08-025, Sodium Hypochlorite and allow staff to re-bid and/or spot bid sodium hypochlorite. Exhibits: Letter from DPC Industries Inc. seeking release from the contract and proof of their supplier's price increases. Page 83
24. Consider approving appointments to boards and commissions. Exhibits: None. Page 99
25. Consider approval of payroll for the period of August 25 – September 7, 2008.

OLD BUSINESS ITEMS:

26. Consider approving a Resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, amending the inspection fees pertaining to Chapter 6 Building, Construction and Housing, and Chapter 19A Stormwater Detention. Exhibit: Resolution No. 08-____. Page 101

BUSINESS ITEMS:

27. Hold public hearings and adopt resolutions declaring the structure(s) at: 611 SW Jefferson and 504 SW Lee Blvd. 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: Resolution No 08-____ and Resolution No 08-____; Summary documents with supporting photos, reports from the Fire Marshal, Housing Inspectors, and case history are available from Neighborhood Services. Page 108

28. Discuss Lawton City Code Section 22-2-1-215, interference with meters-averaging charges-adjustment of water bills and if necessary provide direction to staff. Exhibit: Lawton City Code Section 22-2-1-215. Page 115
29. Consider adopting an ordinance pertaining to Recreation, adding language to Section 19-4-412, Article 19-4, Chapter 19, Lawton City Code, 2005, providing for designated hunting areas on private property within the city limits, minimum acreage size, distance from roads and structures, and limiting firearms to shotguns, further providing for severability, and declaring an emergency. Exhibit: Ordinance 2008-___. Page 117

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

30. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending Workers Compensation claim of Terry Turner, and if necessary, take appropriate action in open session. Exhibits: None. Page 120
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 2008-2009 between the Fire Union IAFF, Local 1882, and the City of Lawton, and take appropriate action in open session. Exhibits: None. Page 121
32. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session for the semiannual performance employee review of Larry Mitchell as City Manager, and in open session take other action as necessary. Exhibits: None. Page 122

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."