

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
SEPTEMBER 11, 2012 - 6:00 P.M.
NEW CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION FROM MUSEUM OF GREAT PLAINS AUTHORITY REGARDING
CAPITAL CAMPAIGN

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 JULY 24 AND AUGUST 28, 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 claims recommended for approval: Gregory and Tina Pufall in the amount of \$1,518.08 and Misty and Kevin Tilghman in the amount of \$540.00. Exhibits: Legal Opinion/Recommendation, **Resolution No. 12-89** and **Resolution No. 12-90**.
2. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of Clayton Houseman. Exhibits: **Resolution 12-91**.
3. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of Larry Carr. Exhibits: **Resolution 12-92**.
4. Consider approving an Agreement between the Armed Services YMCA and MOAA Auxiliary and the City of Lawton to fund activities by the Auxiliary designed to foster tourism and promote economic development in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement with Attached Budget.
5. Consider approving an Agreement between the Lawton Philharmonic Society, Inc., and the City of Lawton to fund activities by the Society designed to encourage, promote and foster tourism and economic development in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement with Attached Budget.

6. Consider approving a Second Amendment to Lease Agreement between the City of Lawton, Oklahoma, and T-Mobile Central LLC, and authorize the Mayor and City Clerk to execute the amendment. Exhibits: Second Amendment to Lease Agreement.
7. Consider approving, executing and accepting a proposed second amendment to Article X of the Pension Trust Agreement of December 22, 1970, extending the duration of the Trust Agreement until November 1, 2033, and authorizing the City Attorney to file the same with the County Clerk. Exhibits: Proposed Second Amendment.
8. Consider approving, executing and accepting a proposed amendment and restatement to the Declaration of Trust of the McMahon Auditorium Authority. Exhibits: Proposed Amendment.
9. Consider adopting a resolution canceling the existing lease agreement with the Robert E. Greiner School for the Handicapped of Comanche County, Inc, declaring certain City-owned real property located at 10 SE “B” Avenue to be surplus property, waiving sale by competitive bid, conveying the property to the Robert E. Greiner School for the Handicapped of Comanche County, Inc, conditioning this transfer to the Greiner School on (1) repairing the structures to meet City Code, (2) abating all asbestos, and (3) holding the City harmless, and authorizing the Mayor to sign the quit claim deed. Exhibits: **Resolution 12-93**, Quit Claim Deed and Indemnification and Repair Agreement.
10. 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.
11. Consider accepting the waterline, fire hydrants, easement, and maintenance bond in Cache Road Square Shopping Center to serve Furr’s Cafeteria and release the escrow agreement in lieu of completion of the waterline. Exhibits: Location Map. Easement and Maintenance Bond on file in City Clerk’s Office
12. Consider adopting a resolution approving the 2012 All Hazard Mitigation Plan. Exhibits: **Resolution 12-94**, 8/24/12 Oklahoma Emergency Management Approval Letter. Plan on file with City Clerk.
13. Consider authorizing a deposit to the Secretary for the Anadarko Agency- Bureau of Indian Affairs, for two permanent easements & two temporary easements for right of way needed for the South Wolf Creek Trunk Expansion #1 Project #07-2SSES. Exhibits: Letter from the Anadarko Agency requesting the negotiated compensation and Location map.

14. Consider approving plans and specifications for the Goodyear/Cache Road Intersection Project #2012-7 and authorizing staff to advertise for bids. Exhibits: Plans and specifications are on file in the Engineering Division office.
15. Consider adopting Street Light Resolution No. 478 to authorize the installation of street lights at the locations listed in the Resolution. Exhibits: Street Light Resolution No. 478.
16. Consider awarding contract (CL13-009) Sodium Hypochlorite to FSTI, Inc. from Austin, TX. Exhibits: Department recommendation, Abstract of Bids, Price Sheet.
17. Consider approving appointments to boards and commissions. Exhibits: None.
18. Consider approval of payroll for the period of August 20 - September 3, 2012.

NEW BUSINESS ITEMS:

19. Hold a public hearing and consider an ordinance amending Ordinance No. 12-5 to amend the binding site plan for property located at 2007 NW 52nd Street. Exhibits: **Ordinance No. 12-30**, Amended Site Plan, Location Map and Application.
20. Consider an ordinance amending Section 16-5-1-504.1, Division 16-5-1, Article 16-5, Chapter 16, Lawton City Code, 2005, by exempting certain cigar packages from the prohibition on glass tube sales, providing for severability, and providing for an effective date. Exhibits: **Ordinance No. 12-31**.
21. Consider an ordinance amending Section 16-4-1-402.1, Division 16-4-1 Article 16-4, Chapter 16, Lawton City Code, 2005, by increasing the time and distance during and from which funeral picketing is prohibited, providing for severability, and providing for an effective date. Exhibits: **Ordinance No. 12-32**.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

22. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending damage claim of Loretta Mae Dillard and if necessary, take appropriate action in open session. Exhibits: None.
23. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending damage claim of Robert Puccino Jr. and if necessary, take appropriate action in open session. Exhibits: None.
24. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending damage claim of Ronald Smith and if necessary, take appropriate action in open session. Exhibits: None.

25. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending claim relating to damage to a City of Lawton vehicle, and if necessary, take appropriate action in open session. Exhibits: None.
26. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending case of Joseph Harper and Vivian Wheeler vs. City of Lawton, CV-12-841-F, and if necessary, take appropriate action in open session. Exhibits: None.
27. 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."