

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
SEPTEMBER 23, 2008 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

RECOGNITION OF CITY EMPLOYEES: MARDI REPASY – REVENUE SERVICES;
DEBBIE DOLLARHITE – PLANNING DIVISION

PRESENTATION OF PROCLAMATION FOR CONSTITUTION WEEK

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: Tom and Carol McClure in the amount of \$275.00, Bryce and Sara Bivens in the amount of \$26,000.00, Luis Pagan in the amount of \$1,200.00 and AT&T Telephone in the amount of \$315.35. Exhibits: Legal Opinions/Recommendations, Resolution No. ____ and Resolution No. ____.
2. Consider the following damage claims recommended for denial: Shafic and Patricia Malouly in the amount of \$960.00 and Fort Sill Federal Credit Union in the amount of \$380.80. Exhibits: Legal Opinions/Recommendations.
3. Consider ratifying the action of the City Attorney in filing an appeal in the workers compensation case of Ronnie Walker, Workers Compensation Court Case No. 2006-14472 R. Exhibits: Resolution No. 08-____.
4. Consider approving an Outside Water Sales Contract with James and Vicki Apple, and authorize the Mayor and City Clerk to execute the Contract. Exhibits: Location Map. Contract is on file in the City Clerk's Office.
5. Consider renewing the professional services agreement with Gary M. Bush of The Public Finance Law Group PLLC, for certain financial related representative services, and authorize the Mayor and City Clerk to execute the agreement. Exhibits: Retainer Agreement for Professional & Legal Services on file in the City Clerk's office.

6. Consider renewing the agreement between the Board of County Commissioners of Comanche County and the City of Lawton for library service to Comanche County residents living outside the City of Lawton. Exhibits: Agreement on file in City Clerk's office.
7. Consider approving contracts for 'Children's Art Studio', Fall 2008 semester for Steven Scott Smith (\$ 675), Lawrence Johns (\$ 540), Kenneth Hobbs (\$ 270), and Sandra Dunn (\$ 315) instructors for the program. Total amount for fall semester stipends is \$ 1,800.00. Exhibits: Contracts on file in City Clerk's office.
8. Consider approving a Mutual Assistance Agreement for Fire Protection between the City of Waurika Volunteer Fire Department and the City of Lawton Fire Department. Exhibits: Mutual Aid Agreement between City of Lawton Fire Department and the City of Waurika VFD.
9. Consider the sale of surplus Fire Engine/Pumper to the Waurika Volunteer Fire Department. Exhibits: Letter of request from City of Waurika Volunteer Fire Department.
10. Consider accepting a FEMA/State of Oklahoma reimbursement check for the total amount of five hundred forty eight thousand one hundred eighty one dollars and fifty six cents (\$548,181.56) and authorize the Finance Department to deposit these funds into the General Fund, FEMA Fund 35, Sewer Rehab Fund and the 2005 CIP to reimburse the accounts from which the funds were expended during the 2007 summer floods. Exhibits: Summary of FEMA/State of Oklahoma checks received to date and eligible project costs.
11. Consider waiving Council Policy #8-1, approving an agreement with R.B. Hendrick & Sons Co. Inc. for professional engineering design services for the Numu Creek Bridge Replacement Project #2008-15 and authorizing funding. Exhibits: None.
12. Consider adopting a Resolution authorizing the installation of traffic control measures at the following intersections: 17 different locations where side streets intersect with NE Kingsbriar Dr. in the Kingsbriar and East Lake Additions (see attached location map); NW Maple Ave. & NW 64th St.; NW 40th St. near 2212 NW 40th St.; NW 67th St. & W Gore Blvd.; NW 27th St. from NW Ferris Ave. to NW Wesley Ave.; NW Elm Ave. near 5314 NW Elm Ave.; NW 52nd St. & W Gore Blvd. Exhibits: Traffic Commission Minutes, Traffic Issue Requests, and Resolution No. 08-____.
13. Consider denying the requests for traffic control measures along NW 35th St. near John Adams Elementary School and at 710 SW "A" Ave. Exhibits: Traffic Commission Minutes and Traffic Issue Requests.
14. Consider a request to provide payment in lieu of stormwater detention for a proposed accessory building at 509 NE 15th Street. Exhibits: None.
15. Consider a request to provide payment in lieu of stormwater detention for the MacArthur High School Gym Lobby Addition at 4402 E. Gore Blvd. Exhibits: None.

16. Consider a request to provide payment in lieu of stormwater detention for the Eisenhower High School Gym Lobby Addition at 5202 W. Gore Blvd. Exhibits: None.
17. Consider approving the record plat for Oak Ridge Addition, Part 1A, and accepting the improvements, escrow agreement in lieu of minor incomplete improvements, maintenance bonds, and easements outside the platted area. Exhibits: Plat Map. Escrow Agreement, Maintenance Bonds and Easements on file in City Clerk's Office.
18. Consider approving the record plat for Carl's Sheridan Addition. Exhibits: Plat Map.
19. Consider approving the record plat for Sherwood Addition, Part 8, and accept the improvements, maintenance bonds, and easements outside the platted area. Exhibits: Plat Map. Maintenance Bonds and Easements on file in the City Clerk's Office.
20. Consider setting the date of October 28, 2008, to hold a public hearing and consider an ordinance closing the alleys in Block 37, Waldman Addition located between SW 11th and 12th Streets and Lee Boulevard and Summit Avenue. Exhibits: Application, Location Map and Council Policy 5-1.
21. Consider awarding (RFPCL09-005) Copier Contract to Bennett Office Equipment and Supply Inc. of Lawton, OK. Exhibits: Department recommendation, abstract of proposals.
22. Consider awarding (CL09-006) Testing Services to Standard Testing and Engineering Company of Lawton, OK. Exhibits: Department recommendation, abstract of bids.
23. Consider approval of payroll for the period of September 8 – 21, 2008.

BUSINESS ITEMS:

24. Consider the Consolidated Annual Performance and Evaluation Report (CAPER) for Federal Fiscal Year (FFY) 2007, receive a briefing on the CAPER, hold a public hearing to receive input from citizens, and approve the report for submission to HUD, and authorize the Mayor to sign the approved CAPER. Exhibits: The CAPER is on file in the City Clerk's Office.
25. Hear the appeal of Central Baptist Church and Trinity Christian Academy from the decision of the Building Development Appeals Board and take appropriate action. Exhibits: Copy of the Appeal to the Building Development Appeals Board (Letter from Townsend & Associates); Copies of Lawton City Code, 2005, Chapter 6, Article 6-7, Division 6-7-1, Sections 6-7-1-701 through 6-7-1-706; Copy of the By Laws of the Building Development Appeals Board; letter from J.W. Doolin requesting appeal to Council; and response letter from City Attorney's Office regarding appeal to Council. Unapproved Minutes of the Building Development Appeals Board are on file in the City Clerk's Office.

26. Consider adopting resolutions approving the submission of Transportation Enhancement (TE) grant applications to the Oklahoma Department of Transportation for a streetscape enhancement project for 2nd Street from south of Gore Boulevard to SW C Avenue, a streetscape enhancement project for 2nd Street from Ferris Avenue to south of Dearborn Avenue, and implementation of prioritized projects in the Lawton Metropolitan Bicycle and Pedestrian Plan and authorize the Mayor to execute. Exhibits: Resolution No. 08-____ (Bicycle and Pedestrian Plan), Resolution No. 08-____ (Ferris Avenue to south of Dearborn Avenue), Resolution No. 08-____ (South of Gore Boulevard to SW C Avenue). Complete Applications on file in the City Clerk's Office.
27. Consider an ordinance pertaining to right and left turns, amending Section 23-9-901, Article 23-9, Chapter 23, Lawton City Code, 2005, by clarifying the method of turning at intersections, including when a traffic marker or sign has been placed within or adjacent to an intersection, providing for severability, and declaring an emergency. Exhibits: Ordinance 2008-____.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

28. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending damage claim of Rosemary Reed, Damage Claim No. DC-2008-073; and Timothy Reed, Damage Claim No. DC-2008-074, and if necessary, take appropriate action in open session. Exhibits: None.
29. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending Workers Compensation claim of Ed Penland, and if necessary, take appropriate action in open session. 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."