

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
SEPTEMBER 23, 2014 – 6:00 P.M.
NEW CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Fred L. Fitch, Mayor
Presiding

Also Present:
Bryan Long, City Manager
Frank V. Jensen, City Attorney
Traci Hushbeck, City Clerk

Mayor Fitch called the meeting to order at 6:04 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Pastor Dave Menges, Western Hills Christian Church, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT:

Bob Morford, Ward One
Keith Jackson, Ward Two
Rosemary Bellino-Hall, Ward Three
Jay Burk, Ward Four
Dwight Tanner, Jr., Ward Five
Richard Zarle, Ward Six
Stanley Haywood, Ward Seven
Doug Wells, Ward Eight

ABSENT:

None

PROCLAMATION FOR DISABLED AMERICAN VETERANS FORGET-ME-NOT

Mayor Fitch proclaimed October 4, 2014 as Disabled American Veterans Forget-Me-Not Day.

PRESENTATION BY LAWTON-FORT SILL REGIONAL AIRPORT ON CURRENT AND FUTURE TERMINAL PROJECTS

Brett Lewis, Lawton Metropolitan Area Airport Authority, stated they would like to brief the council and community on some upgrades they are undertaking at the Lawton-Fort Sill Regional Airport. The last major upgrade was from 1995-1998. The amenities have not been kept up to align with the changes in airport security. He stated passengers must exit the secured area to go get a drink or to use the restrooms. The upgrades are designed to allow a restroom to be on the secured side to improve the travelers' experience.

Curtis Brown, Garver Engineering Associates, presented a power point presentation on the proposed upgrades.

Barbara McNally, Airport Manager, stated they are prepared to issue the notice to proceed with the contractor for the first grant for phase I of the terminal renovations, which will be the restrooms. Construction should begin in October.

Bellino-Hall questioned how long it will take to complete.

Ms. McNally stated this will be done in phases and will be based on federal funding. They receive \$1 million a year and they have to provide matching share through the passenger facility charges they collect. They are looking at 4-5 years to complete all the renovations. The Airport Authority hired a financial consultant to help them figure out a way to do this. If they could do this all in one project they could save some money, but they need to figure out the financing portion.

AUDIENCE PARTICIPATION: None

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETING OF SEPTEMBER 9, 2014.

MOVED by Wells SECOND by Jackson to approve the minutes of Lawton City Council regular meeting of September 9, 2014. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

CONSENT AGENDA

MOVED by Jackson SECOND by Burk to approve the consent agenda. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

1. Consider the following damage claims recommended for approval: Joie Thigpen in the amount of \$3,162.07 (**Res. 14-116**), Jerome and Debbie Hampton in the amount of \$599.99 (**Res. 14-117**) and George Rogers on behalf of Union Baptist Church in the amount of \$402.50 (**Res. 14-118**). Exhibits: Legal Opinions/Recommendations, Resolution No. 14-____, Resolution No. 14-____ and Resolution No. 14-____.
2. Consider the following damage claim recommended for denial: General Kearney Jr., in the amount of \$1,457.86. Exhibits: Legal Opinion/Recommendation.
3. Consider authorizing the City Attorney to accept the sum of Five Thousand and 00/100 Dollars (\$5,000.00) as settlement of the City's subrogation interest in the personal injury case of Marshall Sutton. Exhibits: None.
4. Consider accepting the proposed amendments to Exhibit A (tourism) and Exhibit B (economic development) of the Professional Services Agreement between the Lawton Fort Sill Chamber of Commerce, the City of Lawton, and the Lawton Economic Development Authority to fund activities by the Chamber designed to encourage,

- promote and foster tourism, economic and industrial development in the City of Lawton. Exhibits: Attachments A and B with proposed amendments.
5. Consider approving a resolution re-establishing the Application Fees Fund of the City of Lawton, originally established by Resolution 94-98, by continuing the existence of such fund for its original purpose and permitting up to 33% of the amount in such fund to be transferred to the General Fund at the end of each fiscal year. Exhibits: **Resolution 2014-119** and Resolution 94-98
 6. Consider approving a resolution rescinding the portions of Resolution 99-62 that established the Local Law Enforcement Block Grant Fund and the Payroll Savings Bond Fund of the City of Lawton and directing that said funds be closed. Exhibits: **Resolution 2014-120** and Resolution 99-62.
 7. Consider approving a proposed Settlement Agreement in a foreclosure lawsuit in the Comanche County District Court between the City of Lawton v Earl H. Ballou, et al., authorize the Mayor to execute same, and authorize the City Attorney to do all things necessary for the resolution of said suit as set forth in said Settlement Agreement, to include accepting payment in satisfaction of the obligation of Earl H. Ballou, deceased, from one Cynthia Gail Finley, and to cause said suit to be dismissed and the City's mortgage and notice of pending lawsuit to be release of record upon satisfaction of said agreement. Exhibits: Proposed Settlement Agreement.
 8. Consider authorizing the Mayor to enter into an agreement with the Utility Service Partners, Inc. to grant the company a one year non-exclusive right to use the City's name and logo to be used for the purpose of marketing a private water and wastewater private service line repair warranty program. This is an optional private program offered to the community through an approved National League of Cities (NLC) partner. Exhibits: Current Subscription Report, Lawton Members. Agreement is on file in the City Clerk's Office.
 9. Approval of amendment to schedules in original budget document related to Sinking Fund Estimate of needs. Exhibits: Revised Sinking Fund Schedules.
 10. Consideration of Grant Agreement for the Lawton-Ft Sill Regional Airport in the amount of \$ 1,049,797.00. Exhibits: None.
 11. Consider accepting the Network Assessment and Remediation Grant from the Oklahoma Department of Libraries and authorizing the Mayor to sign the contract. Exhibits: Contract for the Network Assessment and Remediation Grant.
 12. Consider accepting a \$700.00 donation to the Library from the Friends of the Library to be designated for library material purchases. Exhibits: None.

13. Consider accepting a donation of 5 Wood Executive desks, 7 Wood Secretarial Desks and 5 Wood Credenzas, from BancFirst, 501 SW C Avenue, Lawton, OK to be utilized by the Lawton Police Department. Exhibits: None.
14. Consider granting an underground right-of-way easement to Public Service Company of Oklahoma to serve the Armed Services YMCA located at 900 NW Cache Road. Exhibits: Location Map. Easement on file in City Clerk's Office
15. Consider approving the record plat for CVS Lawton Addition, located on the northwest corner of NW Sheridan Road and NW Cache Road, and accepting the bonds for the sewer improvements. Exhibits: Plat Map. Bonds are on file in City Clerk's Office.
16. Consider approving plans and specifications for the 2014 Waterline Replacement Phase 1 Project #2014-8 and authorizing staff to advertise for bids. Exhibits: None.
17. Consider rejecting all bids, allow modifications to the drawings and rebid the project for the Bicycle & Pedestrian Facilities Phase II, Routes 1, 2, 3 & 4, COL Project 2010-7, ODOT Project STP-116E(184)EH, J/P 26901(04). Exhibits: A copy of the bids is on file in the City Clerk's office.
18. Consider awarding contract (CL15-007) Rental of Portable Restrooms to Big Bob's Porta Potty's of Lawton, OK. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.
19. Consider awarding contract (CL15-009) Degreaser to Mid-American Research Chemical of Columbus, NE. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.
20. Consider awarding contract (CL15-010) Manhole Coating Product to Lewis Concrete Restoration of Buda, TX. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.
21. Consider awarding contract (CL15-008) Testing Services to Standard Testing and Engineering Co. of Lawton, OK. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.
22. Consider extending contract (RFPCL12-002) Copier Contract to Bennett Office Equipment of Lawton, OK for an additional thirty days (30). Exhibits: Department recommendation, Contract Extension Form, Price Sheet.
23. Consider approving appointments to boards and commissions. Exhibits: None.

Citizens' Committee On Capital Improvement Program (CIP)

Dr. Frank Wamsley
1123 NW Cherry
Lawton, Oklahoma 73507
10/11/17

Lee Sanger
1616 West Gore Blvd.
Lawton, Oklahoma 73501
10/11/17

Lawton Enhancement Trust Authority

Dr. Robert Morford
City Council
1622 NW 36th
Lawton, Oklahoma 73505
09/23/17

24. Consider approval of payroll for the period of September 1-14, 2014.

NEW BUSINESS ITEMS:

25. Hold a public hearing and adopt a resolution declaring the structures located at: 512 SW Park Avenue, 741 SW 45th Street, 1407 NW Baldwin Avenue, 1610 NW Williams Avenue, 1754 SW 14th Place, 1756 SW 14th Place, 2502 SW ‘H’ Avenue, 2506 NW Ft Sill Blvd, to be dilapidated pursuant to Lawton City Code 6-5-1, ordering the owner(s) to abate the nuisance, authorizing summary abatement, and authorizing the City Attorney to commence legal action in district court to abate the nuisance. Exhibits: Eight Resolutions and Exhibits A.

512 SW Park Avenue

Anthony Griffith, Neighborhood Services Supervisor, reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since March 2010. Griffith presented photographs of the property

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

MOVED by Haywood **SECOND** by Wells, to adopt **Resolution 14-121** declaring the structure located at 512 SW Park Avenue to be a dilapidated public nuisance. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

741 SW 45th Street

Griffith reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since May 2010. Griffith presented photographs of the property

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

MOVED by Bellino-Hall **SECOND** by Haywood, to adopt **Resolution 14-122** declaring the structure located at 741 SW 45th Street to be a dilapidated public nuisance. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

1407 NW Baldwin Avenue

Griffith reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since July 1999. Griffith presented photographs of the property

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

MOVED by Jackson SECOND by Wells, to adopt **Resolution 14-123** declaring the structure located at 1407 NW Baldwin Avenue to be a dilapidated public nuisance. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

1610 NW Williams Avenue

Griffith reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since June 2010. Griffith presented photographs of the property

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

MOVED by Jackson SECOND by Morford, to adopt **Resolution 14-124** declaring the structure located at 1610 NW Williams Avenue to be a dilapidated public nuisance. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

1754 SW 14th Place

Griffith reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since November 2012. Griffith presented photographs of the property

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

MOVED by Haywood SECOND by Wells, to adopt **Resolution 14-125** declaring the structure located at 1754 SW 14th Place to be a dilapidated public nuisance. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

1756 SW 14th Place

Griffith reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since July 2010. Griffith presented photographs of the property

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

MOVED by Haywood SECOND by Wells, to adopt **Resolution 14-126** declaring the structure located at 1756 SW 14th Place to be a dilapidated public nuisance. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

2502 SW “H” Avenue

Griffith reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since October 2009. Griffith presented photographs of the property

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

MOVED by Tanner SECOND by Haywood, to adopt **Resolution 14-127** declaring the structure located at 2502 SW “H” Avenue to be a dilapidated public nuisance. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

2506 NW Ft Sill Blvd

Griffith reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since March 2010. Griffith presented photographs of the property

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

MOVED by Jackson SECOND by Burk, to adopt **Resolution 14-128** declaring the structure located at 2506 NW Ft Sill Blvd to be a dilapidated public nuisance. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

26. Hold a public hearing and consider a resolution amending the 2030 Land Use Plan from Residential/High Density to Commercial and an ordinance changing the zoning from R-4 (High Density Apartment District) to C-5 (General Commercial District) zoning classification on property located approximately at 410 SW Sheridan Road. Exhibits: Resolution No. 14-____, Ordinance No. 14-__ with site plan, Location Map, Applications and CPC Minutes.

Richard Rogalski, Community Services Director, stated this request is for Block 18, Radio City Addition, less Lots 6, 7, 8, and 9 (these lots are already zoned C-5). The property owner is J.W. Properties. This property is currently being used as a recreational vehicle/mobile home park, and the owner wants to rezone the property to C-5 for future redevelopment; however, there are no new uses or buildings proposed at this time. The zoning of the surrounding area is C-5 to the north and west, C-1 (Local Commercial District) and R-4 to the south, and R-4 to the east. The land use of the surrounding area is: The Bridge Park and apartments to the north; a day care center, Gragg Monument, and single-family residential to the south; RV/mobile home park to the east; and RV/mobile home park office and restaurant to the west. The 2030 Land Use Plan designates these lots as Residential/High Density. The surrounding land uses are primarily commercial. The tract is served by public utilities. The alley in Block 18 has been closed, and a

public utility easement remains in place for the public utilities. If the request is approved, the site plan submitted with the application will be a binding site plan, and modifications to the site plan will be processed in accordance with Section 18-1-1-114 which will require public hearings by the City Planning Commission and the City Council. On August 28, 2014, the City Planning Commission held a public hearing on this request. No one spoke for or against the request during the public hearing. The Commission unanimously voted to recommend approval of the request to the City Council.

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

MOVED by Tanner SECOND by Jackson to adopt **Resolution 14-129** amending the 2030 Land Use Plan from Residential/High Density to Commercial. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

MOVED by Tanner SECOND by Jackson to adopt **Ordinance 14-27**, waive the reading of the ordinance, read the title only. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 14-27

An ordinance changing the zoning classification from the existing classification of R-4 (High Density Apartment District) to C-5 (General Commercial District) zoning classification on the tract of land which is hereinafter more particularly described in section one (1) hereof; approving the site plan attached as Exhibit A; and authorizing changes to be made upon the official zoning map in accordance with this ordinance.

27. Hold a public hearing and consider a resolution amending the 2030 Land Use Plan to designate as Commercial and an ordinance changing the zoning from I-3 (Light Industrial District) to CBD (Central Business District) zoning classification on property located at 411 SE Larrance Street. Exhibits: Resolution No. 14-____, Ordinance No. 14-__ with site plan, Location Map, Applications and CPC Minutes.

Rogalski stated this request is for approximately 3 acres located at the northwest corner of SE Larrance Street and SE F Avenue. The property owner is John Rutherford, and the applicant is Chuck Webber, representing Mr. Rutherford. The property owner is in the process of renovating the building and wants to establish the Fairmont Creamery District to include small shops, restaurants, an event center, and apartments. The current zoning of I-3 would permit all of the proposed uses with the exception of residential. The zoning of the surrounding area is I-3 to the north, south, and east, and CBD to the west. The land use of the surrounding area is vacant to the north; construction office to the south; building supply businesses to the east; and moving and storage business, offices, and vacant to the west. The 2030 Land Use Plan does not have a designation on this property since it was previously railroad right-of-way. On August 14, 2014, the City Planning Commission held a public hearing on this request. During the public hearing one person spoke in favor of the request, and no one spoke against the request. The Commission, by a vote of 8 – 0, recommended approval contingent upon the site plan being modified to meet City Code requirements. This does have a binding site plan and those

amendments have been made. They are planning on building a ten foot bike trail along the western boundary on Railroad Street. The proposed drive-thru lane on SE Larrance Street will require a separate action by the City Council and is noted as such on the site plan.

Rogalski stated there was a discrepancy in the site plan as to the location of Railroad Street, and the site plan indicated the proposed parking lot extending onto the SE F Avenue right-of-way. In addition a drive-thru lane was on the SE Larrance Street right-of-way. The site plan has been revised to show the proposed right-of-way for Railroad Street and that the parking spaces on the SE F Avenue right-of-way have been removed. The proposed parking on the site plan is insufficient to meet the number of parking spaces required by the City Code for the entire building. The existing building is 57,178 square feet which would require 200 parking spaces under the current regulations for commercial buildings exceeding 50,000 square feet. The site plan indicates 86 parking spaces to be provided on site. Section 18-8-1-802J of the City Code states “When the intended use of any building is changed to a higher intensity, the amount of the off-street parking shall be the amount required for the new use and be installed in accordance with the applicable sections of this article.” The developer will only be able to meet the parking requirement for 21,800 square feet of building with the proposed 86 spaces shown on the site plan.

Jackson stated he thought at one point the railroad right-of-way that went through that area from F Avenue to Gore was reverted back to the City. He questioned if this was correct, how does it remain under Fairmont property?

Rogalski stated that is not the case for this piece of property. Only this section was excluded from that deed. The parcel where the building was located had already been purchased by the current property owner and the right of way adjacent to it was held out by Union Pacific Railroad from the part that went to ODOT and Mr. Rutherford purchased that also. This is the only piece that we don’t own from Ferris past Bishop. Mr. Rutherford is planning on building that trail and letting it go through their property.

Jackson stated he appreciates that. A constituent called him today to ask that question.

Morford questioned if they could open businesses in this building with the parking requirement.

Rogalski stated as he intensifies a use for that building, he would have to provide parking for just that space.

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

MOVED by Haywood SECOND by Tanner to adopt **Resolution 14-130** amending the 2030 Land Use Plan to designate as Commercial. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

MOVED by Haywood SECOND by Tanner to adopt **Ordinance 14-28**, waive the reading of the ordinance, read the title only. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 14-28

An ordinance changing the zoning classification from the existing classification of I-3 (Light Industrial District) to CBD (Central Business District) zoning classification on the tract of land which is hereinafter more particularly described in section one (1) hereof; approving the site plan attached as Exhibit A; and authorizing changes to be made upon the official zoning map in accordance with this ordinance.

28. Hold a public hearing and consider an ordinance closing the 10 foot wide platted utility easements shown on the Stephens Addition plat on Lots 1-3, 32-33, the east 80 feet of Lots 27-28 and the east half of Lot 31, all in Block 1, and a portion of the blanket easement recorded in Book 104 Page 35 covering the same lots located at the northwest corner of NW Sheridan Road and NW Cache Road. Exhibits: Ordinance No. 14-___, Application and Location Map.

Rogalski stated on August 12, 2014, Council set a date of September 23, 2014, to hold the public hearing for this proposed closure. The request is to close the 10 foot wide platted utility easements shown on the Stephens Addition plat on Lots 1-3, 32-33, the east 80 feet of Lots 27-28 and the east half of Lot 31, all in Block 1, and a portion of the blanket easement recorded in Book 104 Page 35 covering the same lots located at the northwest corner of NW Sheridan Road and NW Cache Road. The applicant, CVS, is the owner of the property and has requested to close these easements in order to construct a new building. A sanitary sewerline has been relocated and a new easement for the line will be shown on the record plat for CVS Lawton Addition. The blanket easement was for a waterline and was recorded in 1907. It has been determined that the waterline is in the existing right-of-way along NW Sheridan Road. PSO and CenterPoint Energy do not have any utilities located within these easements and do not object to the closing. Notice of public hearing was mailed to 29 property owners within 300 feet of the requested area and to the public utility companies on August 21, 2014, and notice was published in *The Lawton Constitution* on September 12, 2014. No objections to the closing of the easements have been received from area property owners.

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

Morford questioned if this is the last thing they needed for this project.

Rogalski stated yes. The plat has been approved and now if this closing is approved, this will clear up the property issues. There will still be some acceptance of public utilities that will come before the council.

MOVED by Morford SECOND by Wells to adopt **Ordinance 14-29**, waive the reading of the ordinance, read the title only. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 14-29

An ordinance closing the 10 foot wide platted utility easements shown on the Stephens Addition plat on lots 1, 2, 3, 32, 33, the east 80 feet of lots 27 & 28, and the east half of lot 31, all in block 1, and a portion of the blanket easement recorded in book 104 page 35 covering the same lots.

29. Consider the Consolidated Annual Performance and Evaluation Report (CAPER) for Federal Fiscal Year (FFY) 2013, 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: None.

Tim Libby, Assistant Director for Housing and Community Development, stated HUD requires grantees to submit a CAPER, which reports on the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs' activities and accomplishments during the previous program year.

A power point presentation was made by Libby (on file in the City Clerk's office).

Bellino-Hall questioned if they actually provided funding from CDBG to these organizations.

Libby stated yes.

Bellino-Hall stated it would be helpful to have photos of some of the places that have been rehabbed or built.

Libby stated they will be expanding with maps and photos in the upcoming fiscal year.

Tanner questioned how the Section 108 loan was used for 2nd Street.

Libby stated the Section 108 loan is a loan guaranteed by HUD which helps bring the interest rate down and those funds are normally set aside for an economic development activity. Our CDBG program is able to pay that back over a twenty year period.

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

MOVED by Haywood SECOND by Morford to approve the report for submission to HUD, and authorize the Mayor to sign the approved CAPER. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

30. Consider directing staff to take actions as necessary to help improve the overall aesthetics and economic conditions along that area of Fort Sill Boulevard between NW Cache Road and US 62/Rogers Lane, to include increased enforcement of existing City Code regarding blighted and dilapidated structures and drafting new code sections, such as a special overlay zoning district. Exhibits: None.

Jackson stated in the ongoing effort to beautify and clean up Lawton and its dilapidated appearance, this is an effort to clean up the entrance and exit to Fort Sill and make it look better.

Rogalski stated they are looking at starting the process of discussing ways to do this. There are concerns that we are going to do something like we did in the downtown area. That was the extreme version of revitalization. There are better versions that are based on incentives and less with taking property and that is what they are looking at with this area. There is a lot of paved area that is not a street or parking area and a lot of these areas can be reclaimed with some landscaping. There are old buildings that just need a facelift and there may be ways we can help fund that with incentives rather than enforcement. He suggested they start with a working group with a couple of councilmembers, planning commission members and maybe a citizen. He stated Mike McKee has been in his office talking about this for Cache Road for a while. There are property owners out there that would like to get involved.

Tanner stated he likes the incentive approach. There are small businesses up and down this area and they just don't have the capital. He feels this is a good idea.

Mayor Fitch suggested they appoint two from the council and two from the City Planning Commission to participate in this work study group.

Jackson and Burk volunteered.

Haywood clarified they were only talking about the area from Cache Road to Rogers Lane.

MOVED by Jackson SECOND by Morford to direct staff to take actions as necessary to help improve the overall aesthetics and economic conditions along that area of Fort Sill Boulevard between NW Cache Road and US 62/Rogers Lane, to include increased enforcement of existing City Code regarding blighted and dilapidated structures and drafting new code sections, such as a special overlay zoning district to include the appointment of a working committee to address these issues. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

31. Consider setting a date for the purpose of hosting a team-building information symposium and Council retreat. Exhibits: None.

Morford stated he feels there are too many committees and too many different things going on and he would like to set up an annual retreat, maybe after the election, to discuss things and learn what is happening.

Mayor Fitch stated the agenda item calls for setting a date, but set it after the November 4th election.

Morford stated it is important that the whole council consider doing this. He stated it would be open to everyone.

Mayor Fitch suggested a Saturday morning.

Jensen stated if we are going to have a quorum it will have to be a special meeting and they will have to consider the time and place as far as making it accessible to the public.

Morford stated it would not be a problem if they scheduled it in town.

Mayor Fitch suggested that Councilmember Morford sit down with the City Manager and look at some dates.

MOVED by Morford SECOND by Burk that the City Managers office coordinate with the Mayor and Council to schedule a team building seminar to include all appointed and elected officials and the City's executive management team and that this meeting be facilitated by a third party not associated with the Lawton city government and this event be hosted by the Lawton Fort Sill Convention Center as provided for in the City's TIF District agreement and require all public notices to be published once the time has been set or identified.

Mayor Fitch stated he would like to include the person who wins the Ward 6 election in November.

Wells stated they had not discussed a third party conducting the meeting. He questioned if they are going to pay a professional group to come in.

Morford stated they need someone to run the meeting.

Burk suggested they contact the EDC at Great Plains, they do a lot of things like this. He stated they need to make it after January.

VOTE ON MOTION: AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

32. Consider setting a date for a special City Council meeting to discuss proposed Public Safety Facility projects as approved within the recent 2015 Sales Tax Extension, and facilitate discussion on the appropriate and recommended level of public participation to achieve the goals and objectives of these projects. Exhibits: None.

Long stated when the sales tax extension passed, they realized that city staff needed to get to work to figure out the priorities of the council. They have identified three basic priorities, one will be discussed tonight in closed session but two are open session items to be discussed during a workshop style setting. Should the council desire to set a meeting date, they could start talking about what it is that they desire to do in terms of bond issuance, bond series and start thinking about the mechanics of what it is they will do with the money we start receiving on March 1st and how the priorities fit into that equation.

Jackson stated he would like to set a date as quickly as possible. The public passed this sales tax extension and council has made it clear to management that they want to move on these items as quickly as they can.

Mayor Fitch suggested staff contact council with potential dates.

Jackson stated he would like to make sure that this is restricted to the city council members and city staff. He does not want any outside public being part of the committee.

Mayor Fitch stated when they addressed the public with this sales tax issue they said that the public would be involved.

Jensen stated they will not be able to have a quorum of the council and have a closed meeting unless it is executive session.

Long stated the point of the discussion that staff wants to have with council is to get the preliminary guidance on where they want to head. They know there will be some kind of public participation and they need to discuss how far they want to take that. There will be recommendations laid out at that time.

Tanner stated he would like to see the alternative water resources issue moved to the forefront and address that issue quickly.

Wells stated there is a committee already working on alternate water sources.

Long stated the funding priority will become a different issue altogether. City staff will want to get input from the council on whether or not it will be included in a first series bond issue or a series two issue or something different.

Wells questioned if there was a design schedule for the police and fire stations. You have to go out for bids for that which is several months. Once you award the bid for design, you are talking about six months to a year to get the plans in. We are talking about a year and a half before they start anything. He stated council asked the City Manager to get with staff and furnish the council with a list of priorities and he has not seen that yet.

Long stated that is exactly what they will be doing in this special meeting.

Mayor Fitch stated the City Manager will look at potential dates.

33. Consider an ordinance pertaining to trespassing amending Section 16-3-1-316, Division 16-3-1, Article 16-3, Chapter 16, Lawton City Code, 2005, by increasing the possible punishment, providing for severability and establishing an effective date. Exhibits: Ordinance No. 14-__.

Neil West, City Prosecutor, stated currently the fine schedule is set at \$100 plus court costs for all the different types of trespassing. Staff believes this has not been sufficient to curb the behavior. Looking at state law, \$250 is the beginning range and they believe that is a fair compromise to start out with.

Tanner clarified that this is up to \$250, they don't have to fine that.

MOVED by Wells SECOND by Haywood to adopt **Ordinance 14-30**, waive the reading of the ordinance, read the title only, and establishing an effective date. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 14-30

An ordinance pertaining to trespassing, amending Section 16-3-1-316, Division 16-3-1, Article 16-3, Chapter 16, Lawton City Code, 2005, by increasing the possible punishment for vehicular trespassing from a one hundred dollars (\$100.00) fine plus court costs to up to a two hundred fifty dollar (\$250.00) fine plus court costs, providing for severability and establishing an effective date.

ADDENDUM:

1. Consider approving a resolution of support for the Treasure Lake Job Corps and urge continued federal funding. Exhibits: Resolution No. 14-____.

Tanner stated at the previous council meeting he brought up the issue of Treasure Lake Job Corps possibly being closed. He suggested they come together in unity to support this program. He stated Treasure Lake Job Corps brings in approximately \$4.5 - \$5 million annually to local economic revenue and the mission of Job Corps is to provide low income, disadvantaged youth an education and to teach them a trade. It costs more money annually to lock a person up because we didn't spend the money to help this person.

MOVED by Tanner SECOND by Wells to adopt **Resolution 14-131** supporting the Treasure Lake Job Corps and urge continued federal funding. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

FINANCE REPORT

Brooks Mitchell, Finance Director, presented the financial report for the period ending August 31, 2014. (On file in the City Clerk's office)

Jackson stated he is glad that the Finance Director is on top of this issue and making recommendations.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

Tanner encouraged everyone to get out and vote.

The Mayor and Council convened in executive session at 7:37 p.m. and reconvened in regular, open session at 9:01 p.m. Roll call reflected all members present excluding Burk.

EXECUTIVE SESSION ITEM:

34. Pursuant to Section 307B.3 & 4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the proposed acquisition of land in the vicinity of the City of Lawton landfill, and if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item #34. No action was taken.

35. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2014-2015 between the Police Union, IUPA Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item #35. No action was taken.

There being no further business to consider, the meeting adjourned at 9:02 p.m. upon motion, second and roll call vote.

FRED L. FITCH, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK