

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
SEPTEMBER 25, 2007 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

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 MEETINGS OF AUGUST 21 AND SEPTEMBER 11, 2007.

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: Terin Madia in the amount of \$574.00, Bill and Holly Ryans in the amount of \$2,304.00, Jerry and Kellie Cunningham in the reduced amount of \$4,343.66, Sonya DeAugustine in the reduced amount of \$9,470.98 and Alfred and Margaret Williams in the reduced amount of \$458.04. Exhibits: Legal Opinions/Recommendations, Resolution No. 07- ____, Resolution No. 07- ____, Resolution No. 07- ____, Resolution No. 07- ____, Resolution No. 07- _____. Page 1
2. Consider the following damage claims recommended for denial: Gary A.S. and El Dena Ferrell in the amount of \$596.98 and Herbert Derricott in the amount of \$191.49. Exhibits: Legal Opinions/Recommendations. Page 24
3. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in directing our third party administrator to make payment on the judgment in the Workers' Compensation case of Ronnie Walker in the Workers' Compensation Court, Case No. 2006-14774 A. Exhibits: Resolution No. 2007-_____. Page 29
4. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in directing our third party administrator to make payment on the judgment in the Workers' Compensation case of John Chelenza in the Workers' Compensation Court, Case No. 2006-04437 A. Exhibits: Resolution No. 2007-_____. Page 32
5. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in directing our third party administrator to make payment on the judgment in the Workers' Compensation case of Robert Martin in the Workers' Compensation Court, Case No. 2006-08894 K. Exhibits: Resolution No. 2007-_____. Page 35
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. Page 38

7. Consider approving contracts for ‘School of the Arts’, Fall 2007 semester for Steven Scott Smith (\$ 630), Lawrence Johns (\$ 540), Kenneth Hobbs (\$ 270), and Sandra Dunn (\$ 270) faculty members for the project. Total amount for fall semester stipends is \$ 1,710.00. Exhibits: Contracts on file in City Clerk’s office. Page 39
8. Consider approving an amendment to the current contract and accepting the increase of the grant from the Oklahoma Department of Human Services for the Retired and Senior Volunteer Program (RSVP) for Fiscal Year 2007-2008 funding. Exhibits: Contract is on file in the City Clerk’s Office. Page 40
9. Consider approving a Memorandum of Understanding between the City of Lawton, Public Works Department and Public Service Company of Oklahoma (PSO) for working on customer-owned high voltage facilities and authorize the Mayor to execute the document. Exhibits: Memorandum of Understanding Talking Points and Memorandum of Understanding. Page 41
10. Consider acknowledging receipt of a Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 370 linear feet of eight (8) inch PVC water line and all appurtenances to serve the EZ Go Store, located in the 6400 block of NW Cache Road, in a part of the SW/4 of the SW/4 of the SW/4 of Section 21, T-2-N, R-12-W, I.M., Comanche County, Oklahoma. Exhibits: Permits to Construct on file in the City Clerk’s office. Page 44
11. Consider acknowledging receipt of a Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 980 linear feet of twelve (12) inch PVC water line and 1,000 linear feet of eight (8) inch PVC water line and all appurtenances and a Tier I permit for the construction of 417 linear feet of eight (8) inch PVC gravity sewer line and all appurtenances to serve the Toyota Dealership, located at NW 72nd Street and Quanah Parker Trailway, in a part of the SE/4 of the SE/4 of Section 20, T-2-N, R-12-W, I.M., Comanche County, Oklahoma. Exhibits: Permits to Construct on file in the City Clerk’s office. Page 45
12. Consider authorizing the Mayor to execute the recertification application for the Community Rating System of the National Flood Insurance Program. Exhibits: Recertification Application on file in the City Clerk’s Office. Page 46
13. Consider approving the construction plat for The Enclave, Part 2, subject to conditions. Exhibits: Plat Map. Page 47
14. Consider approving the record plat for Wal-Mart No. 5071. Exhibits: Plat Map. Page 49
15. Consider awarding contract for AT&T Long Distance Service Agreement. Exhibits: Contract on file in City Clerk’s Office. Page 51
16. Consider awarding a contract to J. L. Walker Construction Inc., Oklahoma City for the Lawton City Offices Demolition Package – 1607G50, Original Lawton High School, Lawton, Oklahoma, and authorize the Mayor and City Clerk to take appropriate action as deemed necessary. Exhibits: Recommendation letter from Gary Armbruster, Meyer Architecture Plus, Bid Packets from J. L. Walker Construction Inc. & Midwest Wrecking & Demolition. Page 52

17. Consider awarding (CL08-006) Liquid Chlorine to Brenntag Southwest, Inc., of Sand Springs, OK. Exhibits: Department recommendation, abstract of bids. Page 56
18. Consider awarding (CL08-010) Nuisance Abatement – West Side to TCB Services of Chattanooga, OK. Exhibits: Department recommendation, abstract of bids. Page 59
19. Consider awarding (RFPCL08-004) Property Insurance to Towe, Hester & Erwin, L.L.C., of Lawton, OK. Exhibits: Department recommendation. Page 64
20. Consider awarding (RFPCL08-007) City Employee Accidental Death Insurance to International Insurance Brokers, LTD, of Tulsa, OK, for Zurich American Insurance Company of Dallas, TX. Exhibits: Department recommendation. Page 66
21. Consider approving appointments to boards and commissions. Exhibits: None. Page 68
22. Consider approval of payroll for the period of September 10 - 23, 2007.

OLD BUSINESS ITEMS:

23. Consider the following damage claim recommended for denial: Margaret A. Purdy. Exhibits: Supplemental Claims Memorandum/Recommendation. Page 69
24. Hold a public hearing to consider Change 1 to the Consolidated One-Year Action Plan, FFY 2006; receive input from citizens; Approve Change 1; and authorize the Mayor and City Clerk to execute the implementing documents. Exhibits: Exhibit A: Consolidated One-Year Action Plan Change 1, FFY 2006, with the revised funding allocation summary; Exhibit B: Project Descriptions. Page 74
25. Hold a public hearing to consider the proposed Change 5 to the Consolidated One-Year Action Plan, FFY 2004; receive input from citizens; approve Change 5 and authorize the Mayor and City Clerk to execute the implementing documents. Exhibits: Exhibit A: Consolidated One-Year Action Plan Change 5, FFY 2004, with the revised funding allocation summaries; Exhibit B: Project Descriptions; Exhibit C: Extract: Priorities. Page 79

NEW BUSINESS ITEMS:

26. Receive a report from Emergency Communications regarding technical problems with the Sentinel Telephone System. Exhibits: None. Page 88
27. Discuss City of Lawton sidewalk specifications and take appropriate action if necessary. Exhibits: None. Page 89
28. Receive an update on the 2nd Street Enhancement Project. Exhibits: None. Page 90
29. Consider the Consolidated Annual Performance and Evaluation Report (CAPER) for Federal Fiscal Year (FFY) 2006, receive a briefing on the CAPER, hold a public hearing to receive input from citizens, and approve the report for submission to HUD. Exhibits: CAPER is on file in the City Clerk's Office. Page 91

30. Consider an ordinance pertaining to offenses and crimes, amending Section 16-3-1-321, Division 16-3-1, Article 16-3, Chapter 16, Lawton City Code, 2005, by requiring community service to be served upon conviction of any littering violation and setting forth punishments for the same, providing for severability, and declaring an emergency. Exhibits: Ordinance No. 07-____. Page 92

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

EXECUTIVE SESSION ITEMS

31. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the evaluation review of Larry Mitchell, City Manager, and if necessary, take appropriate action in open session. Page 96

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."