

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
NOVEMBER 14, 2006 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATION FOR HOME CARE MONTH

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 MEETING OF SEPTEMBER 26, 2006.

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 claim recommended for approval and consider passage of any resolution authorizing the City Attorney to file a friendly suit for the claim which is over \$400.00: Tammie Sunday and Joe Delong in the amount of \$446.20. Exhibits: Legal Opinion/Recommendation and Resolution 06-____. Page 1
2. Consider the following damage claim as recommended for denial: Michael and Julie Green II in the amount of \$7,766.56. Exhibits: Legal Opinion/Recommendation. Page 6
3. Consider declaring a tract of land described as Lots 13 through 16, Block 85, Lawton View Addition as surplus property, setting a minimum bid for the purchase price of the entire tract, and authorizing sale by public auction. Exhibits: Request Letter and Location Maps. Page 10
4. Consider approving the standard lease agreement for use of the Elmer Thomas Park/Lake Helen Stage area on June 9, 2007 with Clear Channel Radio upon construction completion of concrete stage. Exhibits: Standard Lease Agreement with Clear Channel Radio is on file in the City Clerk's office. Page 14
5. Consider declaring a 3.34 acre tract described as 611 SW Bishop Road as surplus property, and authorizing the appraisal of said tract for the purpose of selling the tract at public auction. Exhibits: Aerial of tract, site plan of expansion and letter of request. Page 15
6. Consider accepting a permanent road and utility easement from Rodney L. Worthen Trust which is needed for the SE Water Treatment Plant Project, authorizing the Mayor and City Clerk to execute the easement and authorizing payment. Exhibits: Document is on file in the City Clerk's office. Page 20
7. Consider awarding a construction contract to H. G. Jenkins Construction, Inc. for the Elmer Thomas Park Stage Construction Project #2006-13. Exhibits: None. Page 21

8. Consider accepting a temporary easement from Flower Mound School which is needed for the Water Infrastructure Improvement Phase I (Lines) Project #2006-8, and authorizing the Mayor and City Clerk to execute the easement. Exhibits: Easement is on file in the City Clerk's office. Page 22
9. Consider granting a Quit Claim Deed to Don and Sally Beavers for a 0.06 acre tract located in part of the Northeast Quarter of Section 6, Township 1 North, Range 11 West, I.M. as part of the Numu Creek Channel Improvement Project #2006-10, and authorizing the Mayor and City Clerk to execute the Quit Claim Deed. Exhibits: Quit Claim Deed is on file in the City Clerk's office. Page 23
10. Consider approving the record plat for Arvest Plaza. Exhibits: Plat Map. Page 24
11. Consider approving the record plat for Dove Creek Addition, Part 1B, and accepting the improvements, escrow agreement in lieu of completed improvements, maintenance bonds, and an easement outside the platted area. Exhibits: Plat Map. Easement, Escrow Agreement, and Maintenance Bonds on file in City Clerk's Office. Page 26
12. Consider accepting sureties for the construction of the sanitary sewerline to serve Independence Place and approving the record plat for Independence Place. Plat Map. Performance Bond and Payment Bond are on file in the City Clerk's Office. Page 28
13. Consider adopting a Resolution authorizing the installation of traffic control measures on NW 67th Street at the intersection of Quanah Parker Trailway; SW 82nd Street at the intersection of Lee Blvd.; and SW 11th Street at the intersection of Lee Blvd. Exhibits: Traffic Commission Minutes, Traffic Issue Requests, and Resolution No. 06-_____. Page 30
14. Consider denying a request for the installation of 4-way STOP at the intersection of NW 17th Street and Kingsbury Avenue. Exhibits: Traffic Commission Minutes and Traffic Issue Request. Page 42
15. Consider acknowledging receipt of permit from the Oklahoma Department of Environmental Quality for the construction of 6" force main from landfill leachate basin to existing City of Geronimo 8" sanitary force main. Exhibits: None. Page 45
16. Consider awarding a professional services contract to Dr. Haney for the purpose of providing Veterinarian services for the City of Lawton and authorize the Mayor and City Clerk to execute the contract. Exhibits: Retainer Agreement for Professional Services Page 46
17. Consider extending the contract (CL06-022) Biomonitoring Testing with Bio-Aquatic Testing of Carrollton, TX. Exhibits: Department Recommendation, Contract Extension Form. Page 52
18. Consider extending the contract (CL05-018) Hydraulic Root Saws with J&R Equipment, LLC of Oklahoma City, OK. Exhibits: Department Recommendation, Contract Extension Form. Page 55

19. Consider approval of payroll for the periods of October 9 – November 5, 2006. Exhibits: None.

BUSINESS ITEMS:

20. Hold public hearings and adopt resolutions declaring the structure(s) at: 4625 S.W. “J” Avenue, 4510 S.W. “K” Avenue, 718 S.W. 46th Street, 726 S.W. 46th Street, 742 S.W. 46th Street, 1001 S.W. 46th Street, 729 S.W. 45th Street, 737 S.W. 45th Street, 1517 S.W. Douglas Avenue, 912 S.W.”G” Avenue, 1414 S.W.”G” Avenue, 2518 S.W. “H” Avenue 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: Twelve Resolutions. Summary documents with supporting photos and reports from the Fire Marshal, Housing Inspectors, and case history are available from Neighborhood Services. Page 58
21. Hold a public hearing to consider Change 3 to the Consolidated One-Year Action Plan for FFY 2004 to receive input from citizens and provide Council input for the final plan change. Pass a resolution revoking Resolution, 06-78, approve Change 3 to the FFY 2004 Consolidated One-Year Action Plan, and reconfirm the approval of changes to the FFY 1996, 2001, 2002, 2003, and 2005 Consolidated One-Year Action Plans approved in Council Resolution 06-78 which will remain in full force and effect, and authorize the Mayor and City Clerk to execute the implementing documents. Exhibits: Exhibit A: Change 3 to the FFY 2004 Consolidated One-Year Action Plan with the Funding Allocation Summary. (The proposed revision is also on file in the City Clerk’s office). Exhibit B: Resolution 06-____ Authorizing the Filing of the Change 3 to the Consolidated One-Year Action Plan for FFY 2004. (The proposed revision is also on file in the City Clerk’s office). Page 96
22. Hold a public hearing and consider a resolution amending the 2025 Land Use Plan from Commercial to Residential/High Density and an ordinance changing the zoning from C-3 (Planned Community Shopping Center District) to R-4 (High Density Apartment District) and C-1 (Local Commercial District) zoning classification located at 3502 East Gore Boulevard. Exhibits: Resolution No. 06-____, Ordinance No. 06-____, Location Map, Site Plan, Applications and CPC Minutes. Page 105
23. Hold a public hearing and consider adopting Ordinance 06-____ creating Article 18-11, Division 18-11-1, Chapter 18, Lawton City Code 2005, creating the Residential Estate District (RE) zoning classification and the regulations for the Residential Estate District. Exhibits: Proposed Ordinance. Page 119
24. Hold a public hearing and consider adopting Ordinance 06-____ creating Section 21-5-509, Article 21-5, Chapter 21, Lawton City Code 2005, creating the Residential Estate subdivisions standards. Exhibits: Proposed Ordinance. Page 124
25. Consider Approving a Resolution to establish a training fund for the Lawton Police and Fire Departments by applying \$5.00 to each fund from all citations paid, to an account for such use and said funds will carry over from year to year. Exhibits: Resolution No. 06-____, Letter to Mayor and Council Members and Citation Info. Page 131

26. Consider awarding a construction contract to Joe's Backhoe Service for the NE Bell Drive Drainage Improvement Project #2006-3. Exhibits: None. Page 134
27. Consider adopting two (2) resolutions; one to direct the apportionment of the ad Valorem Tax increments and one to direct the apportionment of Sales Tax increments to the Lawton Economic Development Authority (LEDA) as a necessary step to implement Tax Increment District #1, Lawton, Oklahoma, and execute the Procedural Memorandum between the City of Lawton and Comanche County Assessor and Treasurer with respect to the operation and implementation of the financial and reporting aspects of the TIF District and authorize the Mayor and City Clerk to execute all proper documents. Exhibits: Resolution 06-____ (Apportionment for Ad Valorem Tax), Resolution 06-____ (Apportionment for Sales Tax), Procedural Memorandum Re: Financial and Reporting Procedures - Ad Valorem Taxes Increment District No., City of Lawton. Page 135
28. Consider an ordinance amending Section 22-2-1-215, Division 22-2-1, Article 22-2, Chapter 22, Lawton City Code, 2005, by limiting adjustment to residential single family dwelling consumers if there is an unknown underground leak, providing for severability, and declaring an emergency. Exhibits: Ordinance 06-____. Page 142
29. Consider approving a Resolution establishing a moratorium on entering into new agreements for the sale of water outside of city limits. Exhibits: Resolution No. 2006-____ Minutes of the July 25, 2006 Council meeting concerning the possible moratorium. Page 146
30. Consider approving an amendment to the agreement between the City of Lawton and Lawton Evening Optimist Soccer Association requesting an increase in the amount of water furnished in exchange for services and direct staff to develop a payment schedule for the current bill. Exhibits: Amendment to Cooperative Agreement, Memorandum from Revenue Service Supervisor and letter from Finance Director. Page 151
31. Consider an ordinance amending Sections 17-2-9-201, 202, 203, 204, 205, 207, 208, 214 and 215, Division 17-2-9, Article 17-2, Chapter 17, Lawton City Code, 2005, relating to the Employee Advisory Committee; specifically revising the EAC to represent those city employees not covered by either the Oklahoma Municipal Employees Collective Bargaining Act or the Oklahoma Fire and Police Arbitration Act, providing for severability, and declaring an emergency. Exhibits: Ordinance No. 06-____, Letter regarding AFSCME certification. Page 159
32. Consider an Ordinance amending Section 22-1-2-114, Division 22-1-2, Article 22-1, Chapter 22, Lawton City Code, 2005, by establishing the water contracts for wholesale customers, providing for severability, declaring an emergency, establishing an effective date, and approve a resolution adopting a rate per 1,000 gallons for wholesale customers. Exhibits: Ordinance No. 2006-__ and Resolution No. 2006-__. Page 167

33. Consider approving an Ordinance pertaining to Business amending Sections 7-30-1-3002 and 7-30-1-3003, Division 7-30-1, Article 7-30, Chapter 7, Lawton City Code, 2005, by setting forth application requirements for body piercing and tattoo parlors and artists, providing for severability and declaring an emergency and consider approving a Resolution amending Appendix A, Schedule of Fees and Charges, Lawton, City Code, 2005, as amended, clarifying the fees for body piercing and tattoo parlor and artist permits. Exhibits: Ordinance No. 06-_____ and Resolution No. 06-_____. Page 180

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

34. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the damage claim of Lucetta Pullins, and if necessary, take appropriate action in open session. Exhibits: None. Page 184
35. Consider convening in executive session pursuant to Section 307B.3, Title 25, Oklahoma Statutes, to discuss the sale of City owned property located at 306 SW A Avenue, and if necessary, take appropriate action in open session. Exhibits: None. Page 185
36. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the semi-annual evaluation review of Larry Mitchell, City Manager, and if necessary, take appropriate action in open session. Exhibits: None. Page 186

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."