

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
NOVEMBER 17, 2009 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF PROCLAMATION FOR NOVEMBER 2009 AS HOSPICE MONTH.

PRESENTATION OF PROCLAMATION FOR TOBACCO-FREE LAWTON 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.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETINGS OF OCTOBER 13 AND 27, 2009.

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 is over \$400.00: Joseph Johnson in the amount of \$6,000.00, Jennifer and Chance Cargill in the amount of \$970.61, Kathryn Glover in the amount of \$1,600.00 and Homer and Adelheid Williams in the amount of \$1,508.55. Exhibits: Legal Opinion/Recommendation, Resolution No._____, Resolution No._____, Resolution No._____, Resolution No._____. Page 1
2. Consider the following damage claims recommended for denial: Hazel Winn in the amount of \$238.04, Fred Cheek in the amount of \$1,241.98 and Margie and Stewart Johnson in the amount of \$5,291.88. Exhibits: Legal Opinions/Recommendations. Page 18
3. Consider adopting a resolution approving the settlement by a joint petition and making payment in the pending workers' compensation claim of Jason Roberts. Exhibits: Resolution 09-____. Page 27
4. Consider and take action with respect to a resolution approving action taken by the Lawton Water Authority authorizing issuance, sale and delivery of the Authority's Drinking Water SRF promissory note to the Oklahoma Water Resources Board; ratifying and confirming a certain lease agreement, as amended; and containing other provisions related thereto. Exhibit: Resolution 09- _____. Page 29

5. Consider and take action with respect to a resolution approving action taken by the Lawton Water Authority authorizing issuance, sale and delivery of the Authority's Clean Water SRF promissory note to the Oklahoma Water Resources Board; ratifying and confirming a certain lease agreement, as amended; and containing other provisions related thereto. Exhibits: Resolution 09- _____. Page 34
6. Consider and take action with respect to a resolution approving indebtedness (the "note" or "notes") of the Lawton Water Authority in the amount of not to exceed \$28,000,000 in aggregate amount outstanding at any one time for the purpose of financing the BRAC related improvements to be financed with the proceeds of the 3/8th cent sales tax approved by the voters on October 9, 2007; waiving competitive bidding; approving documents including an agreement of support with the Authority; and other matters relating thereto. Exhibits: Resolution 09- _____. Page 39
7. Consider approving a public safety improvement cost sharing application for Pinhigh Investments for the LPS new student enrollment center at 608 NW Ft. Sill Boulevard for the installation expense of a fire hydrant in accordance with Council Policy 6-4. Exhibits: Application is on file in the License & Permits office. Page 44
8. Consider approving a credit adjustment in the amount of \$874.45 to William Herring's service account #00006444 for the property at 102 NE 20th Street for an undetected, underground leak on the customer's water service line. Exhibits: Billing statement from Ken's Plumbing dated 9/17/2009 and Copy of Mr. Herring's service bill. Page 45
9. Consider approving a credit adjustment in the amount of \$590.42 to Lighthouse Church of God's service account #00023319 for the property at 926 NW Rogers Lane for an undetected, underground leak in the service line. Exhibits: Invoice from Gordon Plumbing dated 5/13/09 and Copy of customer's May service bill. Page 48
10. Consider approving a credit adjustment in the amount of \$618.39 to Donna Littlefield's service account #00026227 for the property at 1605 W. Gore Boulevard for an undetected, underground leak in the service line between the meter and the house. Exhibits: Plumbing Invoice from Hodges Plumbing dated 7/30/09. Page 52
11. Consider approving a credit adjustment in the amount of \$626.41 to Ralph Maassen's service account #00014336 for the property at 2002 NW Taft Avenue for an undetected, underground leak on the customer's water service line. Exhibits: Invoice from Robert's Repair Master Plumbing dated 08/13/09. Page 54
12. Consider approving contract Amendment No. 6 with CH2M Hill, Inc. for construction management services during construction of the WWTP Improvements Work Package No, 1 Project #2008-11. Exhibits: Amendment to the Agreement. Page 56
13. Consider accepting the Lake Ellsworth Dam/Spillway Repair Project #2008-14 as constructed by Chamberlin Dallas LTD and placing the Maintenance Bond into effect. Exhibits: None. Page 59

14. Consider awarding a construction contract to Red Cliff, Inc. for the 2008 CIP Waterline Replacement Phase 3 Project #2010-1. Exhibits: None. Page 60
15. Consider awarding a construction contract to Archer Western Contractors, LTD for the WWTP Improvements Work Package No. 1 Project #2008-11 in accordance with a Consent Order agreement between the Oklahoma Department of Environmental Quality (ODEQ) and the City of Lawton. Exhibits: None. Page 61
16. Consider acknowledging receipt of Tier I permits from the Oklahoma Department of Environmental Quality for the construction of 1,395 linear feet of 8-inch PVC waterline, 1,045 linear feet of 8-inch PVC sanitary sewer line, and all appurtenances to serve The Meadows located approximately ¼ mile south of NW Cache Road, west of NW 38th Street in the NE/4 of Section 27, T2N, R12W, Comanche County, Oklahoma. Exhibits: Permits to Construct on file in the City Clerk's Office. Page 62
17. Consider awarding (CL10-006) Dispatch Console/Radio Interface to Lawton Communications of Lawton, OK. Exhibits: Department recommendation, abstract of bids. Page 63
18. Consider awarding (CL10-018) Dispatch Console Workstation to Viking Acoustical Corporation. Exhibits: Department recommendation, abstract of bids. Page 66
19. Consider awarding (CL10-021) Sale of scrap water meters to Water Products of Oklahoma from Owasso, OK. Exhibits: Department recommendation, abstract of bids. Page 70
20. Consider approving appointments to boards and commissions. Exhibits: None. Page 75
21. Consider approval of payroll for the period of November 2 – 15, 2009.

NEW BUSINESS

22. Hold a public hearing and consider an ordinance closing a portion of a public utility easement on Lot 14, Block 1, Scissortail, Part 1, located at 1109 NE Scissortail Drive. Exhibits: Ordinance No. 09-__, Application, Site Plan and Location Map. Page 76
23. Consider amending an ordinance relating to recreation, Section 19-5-508, Article 19-5, Chapter 19, Lawton City Code, 2005, pertaining to adding regulation to establish procedure for structural improvement and maintenance of space adjacent to dock units at Lakes Lawtonka and Ellsworth, providing for severability and declaring an emergency. Exhibits: Ordinance 09 - _____. Page 81
24. Discuss Lawton City Ordinance 22-2-2, Water Service Impact Fee and Extension Service pertaining to commercial businesses within Lawton City limits and the requirement thereof. Exhibits: Minutes from 4/26/05, Water and Sewer Capacity Fees, Exhibits and Impact Fee Schedule. Page 85

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

25. Pursuant to Sections 307B.3, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the purchase of permanent easements which are necessary for the South Wolf Creek Trunk Expansion One Project # 07-2SSES and if necessary, take appropriate action in open session. Exhibits: None. Page 115
26. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2009-2010 between the American Federation of State, County and Municipal Employees (AFSCME), Local 3894, and the City of Lawton, and take appropriate action in open session. Exhibits: None. Page 116
27. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the status of the case before the District Court of Comanche County, titled City of Lawton v. AFSCME Local 3894 and PERB, CJ-2009-680, and take appropriate action in open session. Exhibits: None. Page 117

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."