

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
NOVEMBER 24, 2020 – 2:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Stan Booker, Mayor

Also Present:
Michael Cleghorn, City Manager
Tim Wilson, Interim City Attorney
Traci Hushbeck, City Clerk
COL Rhett A. Taylor, Fort Sill Liaison

Mayor Booker called the meeting to order at 2:00 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Allan Hampton, followed by the Pledge of Allegiance

ROLL CALL

PRESENT:

Mary Ann Hankins, Ward One
Keith Jackson, Ward Two
Linda Chapman, Ward Three
Jay Burk, Ward Four
Allan Hampton, Ward Five
Sean Fortenbaugh, Ward Six
Randy Warren, Ward Eight

ABSENT:

Onreka Johnson, Ward Seven

PROCLAMATION FOR PSI UPSILON CHAPTER, OMEGA PSI PHI FRATERNITY, INC.
WEEK

Mayor Booker proclaimed the week of November 15 – 21, 2021 as Psi Upsilon Chapter, Omega Psi Phi Fraternity Week with Tuesday, November 17th as Psi Upsilon Chapter, Omega Psi Phi Fraternity Day.

EMPLOYEE SPOTLIGHT PRESENTATION TO TARESSA MACIAS – HUMAN
RESOURCES DEPARTMENT

The City Manager recognized Taressa Macias – Human Resources Department, for her outstanding performance.

REPORTS: MAYOR/CITY COUNCIL

Hankins encouraged citizens to volunteer in the community in any capacity. She requested they please call.

Burk stated he has some openings on various committees, and he encouraged everyone to volunteer.

AUDIENCE PARTICIPATION: None

ADDENDUM:

BUSINESS ITEMS:

1. Receive an update from representatives of Comanche County Memorial Hospital and the Comanche County Health Department on the status of the COVID-19 Pandemic, discuss the same, and if necessary, take action. Exhibits: None

Updates were given from:

Brandie Combs, Public Health Official from the Comanche County Health Department
Dr. Scott Michener, Chief Medical Officer, Comanche County Memorial Hospital
Chris Godman, Epidemiologist, Comanche County Memorial Hospital

Council discussed the challenges of preventing a shut down of businesses and how to provide businesses with the ability to enforce mask wearing.

Burk suggested that staff come up with a recommendation on accountability for the citizen and for businesses.

Warren suggested the Mayor speak with our surrounding communities to share information.

MOVED by Burk SECOND by Warren to direct staff to bring back options for enforcement on the citizen and the business. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Warren, Hankins. NAY: None. MOTION CARRIED.

CONSIDER APPROVAL OF MINUTES OF THE LAWTON CITY COUNCIL REGULAR MEETINGS OF AUGUST 25 AND NOVEMBER 10, 2020.

MOVED by Burk SECOND by Jackson to approve the minutes of Lawton City Council regular meetings of August 25 and November 10, 2020. AYE: Chapman, Burk, Hampton, Fortenbaugh, Warren, Hankins, Jackson. NAY: None. MOTION CARRIED.

CONSENT AGENDA

MOVED by Warren SECOND by Jackson to approve the consent agenda. AYE: Burk, Hampton, Fortenbaugh, Warren, Hankins, Jackson, Chapman,. NAY: None. MOTION CARRIED.

1. Consider accepting a \$4,122.40 donation to the Library from the Friends of the Library to be designated for library-related activities and library materials. Exhibits: None.
2. Consider accepting grant funds in the amount of \$2,793.00 from the Federal Corporation for National and Community Services (CNCS) for the Retired and Senior Volunteer Program (RSVP). Exhibits: Federal CNCS Notice of Grant Award.
3. Consider approving a resolution amending the City of Lawton FY20-21 budget, as amended, by appropriating a \$8,400,000.00 grant to Public Utilities from the Oklahoma Development Finance Authority for the Lawton/Fort Sill Water Resiliency Project; \$300,000.00 to the Emergency Reserve Fund for tree and limb cleanup operations from the October 27, 2020 Ice Storm; a \$4,122.40 donation to the Library from the Friends of the Library for library-related activities and book purchases; and by carrying forward \$2,793.00 from the FY19-20 grant to RSVP from the Federal Corporation for National and Community Services (CNCS) for program volunteer recognition events. Exhibits: **Resolution 20-131.**
4. Consider approval of Mutual Aid Agreements with neighboring towns, Geo Group Correctional facility, and Sheppard Air Force Base. Exhibits: Mutual Aid Agreements for Altus, Anadarko, Apache, Elgin, Frederick, Geronimo, Indianola, Marlow, Medicine Park, Geo Group and Sheppard Air Force Base are on file in the City Clerk's office.
5. Consider approving the purchase of three (3) 2020 Mack LR64R Diesel/Heil DPF 28-yard Side Load Trucks and one (1) 2021 Mack LR64R CNG/Heil DPF Python 28-yard Side Load Truck from United Engines of Oklahoma City, OK through Statewide Contract SW0197 and further consider approving a resolution authorizing the execution and delivery of an equipment lease/purchase agreement with Welch State Bank of Welch, OK for the acquisition, purchase, financing and leasing of said trucks; and authorize the Mayor and City Clerk to execute the lease/purchase agreement and any related documents necessary to the consummation of the transactions contemplated by the lease/purchase agreement. Exhibits: **Resolution 20-132**, Department Recommendation, Equipment Lease Purchase Agreement – Welch State Bank (includes Rental Payment Schedule with Interest Schedule – Exhibit B).
6. Consider approving Amendment No. 8 to the December 9, 2014 contract with Garver, LLC, which will amend the scope of service to provide professional services necessary for the development of a Conceptual Design Phase Plan that will evaluate rehabilitation of the existing plant, construction of a new facility, or a combination thereof via a Cost-Benefit analysis that will carry the City of Lawton 50 years into the future and further provide Project Management services in the interim. Exhibits: Amendment to the Agreement, Appendix A – Scope of Services and Appendix B – Fee Summary.
7. Consider accepting a temporary easement from Justin Cowart & Dawn Putnam, husband & wife, for right of way needed for the 2017 Ad Valorem Streets Phase 1, Project #2017-07 and authorize the Mayor and City Clerk to execute the document. Exhibits: Document is on file in the City Clerk's office.

8. Consider accepting a temporary easement from Michelle Kinzer, a single person, for right of way needed for the 2017 Ad Valorem Streets Phase 1, Project #2017-07 and authorize the Mayor and City Clerk to execute the document. Exhibits: Document is on file in the City Clerk's office.
9. Consider accepting a temporary easement from Kye Smithey, a single person, for right of way needed for the 2017 Ad Valorem Streets Phase 1, Project #2017-07 and authorize the Mayor and City Clerk to execute the document. Exhibits: Document is on file in the City Clerk's office.
10. Consider extending contract (CL19-005) Zinc Orthophosphate with Water Tech, Inc. of Owasso, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
11. Consider extending contract (CL19-007) Manhole Lining Product to The Strong Company of Pine Bluff, AR for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheets.
12. Consider extending contract (CL19-009) Manhole Rings and Covers to Core & Main LP of Owasso, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
13. Consider extending contract for (CL20-003) Nuisance Abatement to Adult & Teen Challenge of Oklahoma of Cache, OK; Rob's Lawn Care of Cache, OK; Joe's Backhoe Service LLC of Lawton, OK. Exhibits: Department Recommendation, Contract Extension Forms, Price Sheets.
14. Consider awarding contract (CL21-008) Sludge Dewatering Polymer for Item No. 1 to Polydyne, Inc. of Riceboro, GA and Item Nos. 2a, 2b, and 2c to Thornton, Musso, and Bellemin of Columbia, TN as the primary vendor and to Polydyne, Inc. of Riceboro, GA as the secondary vendor. Exhibits: Department Recommendation, Abstract of Bids, Price Sheets.
15. Consider extending (RFPCL19-011) Employee Physicals/Drug Screen Testing Section A (Physicals) to the Center for Occupational Health, of Lawton, OK and Section B (Drug/Alcohol Testing) to Allied Lab, Inc., of Lawton, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Forms, Price Sheets.
16. Consider approving appointments to boards and commissions. Exhibits: None.

Citizens' Committee on Capital Improvement Program (CIP)

Jesse Cross
6302 SW Oakmont
Lawton, OK 73505
Existing Member
10/11/23

Lakes and Lands Commission

J.C. Grayson
283 Crescent Ridge Drive
Lawton, OK 73505
Existing Member
10/24/23

Lawton Enhancement Trust Authority (LETA)

Addie Smith
1508 SW Jefferson Avenue
Lawton, OK 73501
Existing Member
6/30/23

Pension Trust Commission

Billie Whipp
1636 NE 31st Street
Lawton, OK 73507
New Member
10/24/21

Parks and Recreation Commission

Brian Henry
3703 NE Fieldcrest
Lawton, OK 73507
New Member
12/31/21

OLD BUSINESS ITEMS:

17. Consider approving a Memorandum of Understanding with the Friends of the Lawton Public Library, Inc. regarding the application of a mural on the west side of the Lawton Public Library storage building located at 110 SW 4th Street. Exhibits: Memorandum of Understanding and McMahon Letter.

Burk stated Friends of the Library have done such great things for the library. At the previous meeting there were some concerns that the McMahon Foundation might have an issue with a mural on the building. He reported that they do not have any opinion on the subject. He stated the Downtown Lawton Architectural Review Committee previously denied the request and he spoke with them and they were concerned that it said “Library” and they felt like it cannot be a sign, otherwise other businesses would want to paint their name on their buildings. He stated murals are going up all over the city. He feels they should allow this to happen.

MOVED by Burk SECOND by Chapman to approve a Memorandum of Understanding with the Friends of the Lawton Public Library, Inc. regarding the application of a mural on the west side

of the Lawton Public Library storage building located at 110 SW 4th Street AYE: Hampton, Fortenbaugh, Warren, Hankins, Jackson, Chapman, Burk. NAY: None. MOTION CARRIED.

NEW BUSINESS ITEMS:

18. Consider approving an Ordinance amending Section 7-30-1-3004, Chapter 7, Lawton City Code, 2015; by amending the zoning districts that body piercing and tattoo parlors may be located in and establishing an effective date. Exhibits: Ordinance No. 20-__.

Richard Rogalski, Deputy City Manager, stated current Lawton City Code allows body piercing and tattoo parlors to be located only in C-5 General Commercial, I-1 Restricted Manufacturing and Warehousing, I-2 Industrial Park, I-3 Light Industrial or I-4 Heavy Industrial zoning districts. On November 12, 2020, the City Planning Commission directed staff to prepare an amendment to Chapter 7 to allow body piercing and tattoo parlors to be a permitted use in C-1 Local Commercial District, C-2 Planned Neighborhood Shopping Center District, C-3 Planned Community Shopping Center District and C-4 Tourist Commercial District.

Warren questioned if they could make this ordinance an emergency.

Wilson stated for it to qualify as an emergency it must affect the public health, safety, and welfare.

MOVED by Burk SECOND by Warren to adopt **Ordinance 20-23**, waive the reading of the ordinance, read the title only and establishing an effective date of thirty days after passage. AYE: Fortenbaugh, Warren, Hankins, Jackson, Chapman, Burk, Hampton. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 20-23

AN ORDINANCE PERTAINING TO ZONING REQUIREMENTS AMENDING SECTION 7-30-1-3004, CHAPTER 7, LAWTON CITY CODE, 2015, TO ALLOW BODY PIERCING AND TATTOO PARLORS TO BE LOCATED IN ADDITIONAL ZONING; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

- 19 Hold a public hearing and consider an ordinance changing the zoning from the C-1 Local Commercial District to C-5 General Commercial District zoning classification on property located at 1902-1930 NW Ferris Avenue. Exhibits: Ordinance No. 20-__ with Site Plan, Location Map and Application.

Rogalski stated this request is for Lots 1-9, Block 1, Morford Addition, and measures approximately 575 feet by 140 feet. The proposed uses are all C-5 permitted uses. The property owner, Jeff Sadler has signed the application. The zoning of the surrounding area is R-1 to the north, south and west, and R-1 and C-1 to the east. The land use of the surrounding area is single-family residential dwellings to the north, south, east and west. The 2030 Land Use Plan shows professional office to the north, west and east and residential/low density to the south. As shown on the site plan submitted with the application, the applicant does not plan to construct

any new buildings at this time. On November 12, 2020, the City Planning Commission held a public hearing and with a vote of 8-0, recommended denial of the change of zoning from C-1 to C-5 on the property located at 1902-1930 NW Ferris Ave and directed staff to propose amendments to the appropriate City Code sections to allow body piercing and tattoo salons within the C-1 zoning district. Following the vote, they also directed staff to prepare an amendment to Chapter 18 to include the more modern day low-impact outdoor/drive-in movie theaters as a “use permitted on review” within the C-1 zoning district. Notice of public hearing was mailed to 63 owners of property within 300 feet of the requested area on October 21, 2020, and proper notice was published in *The Lawton Constitution* on November 9, 2019.

Burk stated he is confused on this request.

Rogalski stated this is just a code modification to allow the two uses. One is just a correction of the code and the other is creating a different version of a drive-in movie theater, which would be a use permitted on review.

Burk stated it was a denial.

Rogalski stated if you put C-5 in an area it will want more C-5. It is the most intensive commercial zoning. It would drastically change that area of Ferris. This will just make that use legitimate in that zoning.

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

MOVED by Warren SECOND by Burk to deny. AYE: Warren, Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh. NAY: None. MOTION CARRIED.

20. Hold a public hearing and consider an ordinance to close portion of the alley in Block 24, of Original Townsite of Lawton, located between SW 1st Street and SW 2nd Street and SW B Avenue and SW C Avenue, and accept a public utility easement. Exhibits: Location Map, Ordinance No. 20-___. Utility Easement is on file in the City Clerk’s Office.

Rogalski stated on October 13, 2020, Council set a date of November 24, 2020, to hold the public hearing for this proposed closure. The request is to close the east 200 feet of the 20-foot wide alley in Block 24, of Original Townsite of Lawton. The applicant, Mark Cox, owns Lots 1-8 and Lots 25-32 on both sides of the requested closure. On the south side of the alley is Scissortail Children’s School and on the north side of the alley is their main parking lot. Closing this portion of the alley to public traffic would be safer for the children, parents, and employees who cross the alley several times a day. PSO, CenterPoint Energy, AT&T, and Public Works have been notified of this request and have no objections as long as a public utility easement is obtained. Notice of this public hearing was mailed to 14 property owners within 300 feet of the requested area on October 22, 2020, and notice was published in *The Lawton Constitution* on November 12, 2020. No objections to this closing have been received by area property owners.

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

MOVED by Burk SECOND by Hampton to adopt **Ordinance 20-24**, waive the reading of the ordinance, read the title only. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh. NAY: None. ABSTAIN: Warren. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 20-24

AN ORDINANCE CLOSING THE EAST 200 FEET OF THE 20-FOOT-WIDE ALLEY IN BLOCK 24, ORIGINAL TOWNSITE OF LAWTON.

21. Hold a public hearing and consider an ordinance amending Section 18-4-1-404.1, Lawton City Code, 2015, by allowing fences located within the front yard setback on property in the P-F District and all industrial districts or associated with a public facility on property owned by Lawton Public Schools, to be taller than four feet. Exhibits: Ordinance No. 20-____.

Charlotte Brown, Senior Planner, stated current code requires fences in the front yard setback to be only four feet in height. Fences taller than four feet within the front yard setback require a Use Permitted on Review. Lawton Public Schools recently discussed a need for greater security on school property, this includes some occasions which would require a six feet fence in the front yard setback. The proposed ordinance allows for a non-opaque fence to be located within the front yard setback up to six feet tall. The fence has to be constructed of a decorative, open wrought iron fence, aluminum fence or similar material; and shall be a minimum of 100% non-opaque. Brick columns or other similar posts would be permitted. With this amendment, a Use Permitted on Review for a fence taller than four feet when located within the P-F Public Facilities District and all of the Industrial zoning districts, would not be required. City Planning Commission held a public hearing on November 12, 2020 and the recommendation will be provided at City Council.

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

MOVED by Burk SECOND by Chapman to adopt **Ordinance 20-25**, waive the reading of the ordinance, read the title only and establishing an effective date of thirty days after passage. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Warren. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 20-25

AN ORDINANCE PERTAINING TO PLANNING AND ZONING AMENDING SECTION 18-4-1-404.1, CHAPTER 18, LAWTON CITY CODE, 2015, BY ALLOWING FENCES LOCATED IN P-F DISTRICT AND INDUSTRIAL DISTRICTS TO BE TALLER THAN FOUR FEET WITHIN THE FRONT BUILDING LIMIT LINE OR WHEN ASSOCIATED WITH A PUBLIC FACILITY; PROVIDING FOR SEVERABILITY; RENUMBERING; AND ESTABLISHING AN EFFECTIVE DATE.

22. Hold a public hearing and consider an ordinance amending Sections 18-2-1-1205 and 18-12-1-1218, Lawton City Code, 2015, modifying the appeal process for the Downtown Lawton Overlay District such that they would be heard by the City Planning Commission rather than the Board of Adjustments and establishing the process for said appeals. Exhibits: Ordinance No. 20-__.

Rogalski stated at the October 15, 2020, City Planning Commission meeting, staff was directed by the commissioners to draft an ordinance that will modify the appeals of the Downtown Lawton Architectural Review Committee (DLARC) to the City Planning Commission when in regard to property located within the Downtown Lawton Overlay District. The current code allows for the appeals of the decision of DLARC to be heard by the Board of Adjustments. This ordinance removes the appeal of DLARC from the Board of Adjustments powers and specifies that these appeals will then be heard by the City Planning Commission. It also states that the applicant will have 10 calendar days to appeal said decision and the appeal shall be placed on the City Planning Commission agenda within 30 days of the decision of DLARC. The resolution creates a fee of \$50.00 to process the appeal and notify interested parties. City Planning Commission held a public hearing on November 12, 2020, and the recommendation will be provided at City Council.

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

MOVED by Burk SECOND by Warren to adopt **Ordinance 20-26**, waive the reading of the ordinance, read the title only and establishing an effective date of thirty days after passage. AYE: Jackson, Chapman, Burk, Hampton, Fortenbaugh, Warren, Hankins. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 20-26

AN ORDINANCE PERTAINING TO PLANNING AND ZONING AMENDING SECTIONS 18-2-1-205 AND 18-12-1-1218, CHAPTER 18, LAWTON CITY CODE, 2015, BY MOVING THE APPEALS OF THE DOWNTOWN LAWTON ARCHITECTURAL REVIEW COMMITTEE FROM THE BOARD OF ADJUSTMENTS TO THE CITY PLANNING COMMISSION AND ESTABLISHING THE PROCESS FOR SAID APPEALS; PROVIDING FOR SEVERABILITY; RENUMBERING; AND ESTABLISHING AN EFFECTIVE DATE.

23. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, by adding a fee for appeals of the Downtown Lawton Architectural Review Committee to be heard by the City Planning Commission. Exhibits: Resolution 20-__.

MOVED by Burk SECOND by Fortenbaugh to approve **Resolution 20-133**. AYE: Chapman, Burk, Hampton, Fortenbaugh, Warren, Hankins, Jackson. NAY: None. MOTION CARRIED.

24. Consider an ordinance amending Section 6-1-5-185 Chapter 6, Lawton City Code, 2015, to require sidewalks to be constructed with new and expanding parking areas; to clarify the requirement for sidewalks to be constructed with new buildings and expansions of existing buildings and to provide a process to allow for a significant aesthetic landscaping

improvement/feature to be provided as an alternative to paying the fee in lieu of constructing a sidewalk; providing for severability; and establishing an effective date.
Exhibits: Ordinance No. 20-__.

Brown stated the proposed ordinance changes the code regarding installation of sidewalks with new construction or expansion of buildings and/or parking areas. The proposed code change specifies that with the new construction or expansion of parking areas for more than six vehicles, sidewalks will be required to be installed. It will also clarify the requirement percentage of sidewalk to be installed when expanding an existing development and that if the required length of the sidewalk is less than 25%, the developer may request to pay a fee in lieu of for construction. On the other hand, if the required length of sidewalk is greater than 75%, the developer will be required to install the sidewalk along the entire street frontage. The proposed change also allows for the Planning Director to waive the requirement for installation of sidewalks. As an alternative for the fee in lieu of constructing the sidewalk, the developer may request to install a significant aesthetic landscaping improvement/feature. The request would be heard by the Lawton Enhancement Trust Authority and must have a verifiable cost equal to 125% of the amount of the fee. This request would be in addition to the required landscaping points as per Section 6-1-5-186 of Lawton City Code.

Mayor Booker questioned if the amount to be deposited was commensurate with construction cost of the required sidewalk.

Brown stated they use the amount it would cost the City to install the sidewalk which is \$6.12 per square feet.

Burk stated this is a good alternative. It helps in areas where people can't do something with a sidewalk.

MOVED by Burk SECOND by Hampton to adopt **Ordinance 20-27**, waive the reading of the ordinance, read the title only and establishing an effective date of thirty days after passage.
AYE: Burk, Hampton, Fortenbaugh, Warren, Hankins, Jackson, Chapman. NAY: None.
MOTION CARRIED.

(Title read by City Attorney)

Ordinance 20-27

AN ORDINANCE PERTAINING TO BUILDING, CONSTRUCTION, AND HOUSING, AMENDING SECTION 6-1-5-185, DIVISION 6-1-5, ARTICLE 6-1, CHAPTER 6, LAWTON CITY CODE, 2015, TO REQUIRE SIDEWALKS TO BE CONSTRUCTED WITH NEW AND EXPANSIONS OF PARKING AREAS, TO CLARIFY THE REQUIREMENTS FOR SIDEWALKS TO BE CONSTRUCTED WITH NEW BUILDINGS AND EXPANSIONS OF EXISTING BUILDINGS AND TO PROVIDE A PROCESS TO ALLOW A SIGNIFICANT AESTHETIC LANDSCAPING IMPROVEMENT/FEATURE TO BE PROVIDED AS AN ALTERNATIVE TO PAYMENT OF THE FEE IN LIEU OF CONSTRUCTING A SIDEWALK; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

25. Consider an ordinance amending Personnel Policies and Procedures Sections 17-1-4-133, 17-1-4-134, 17-1-4-135, and 17-1-4-136, Chapter 17, Lawton City Code, 2015, by clarifying the establishment of pay based off of an hourly rate, clarifying that cost of living increases will be rounded to the nearest cent, changing any reference to pay plan steps from alphabetical to numerical; deleting language referring to introductory employees prior to May 1, 2017; clarifying the approval process for pay increases; providing for severability and declaring an effective date of December 28, 2020. Exhibits: Ordinance No. 20-__.

Dewayne Burk, Human Resources Director, stated the City of Lawton Human Resources Department will be implementing a new Tyler Technologies Human Resources Management System in January 2021. The new system requires numerical pay plan steps, rather than alphabetical. Therefore, the existing pay plan has been modified to reflect the necessary changes to coincide with the new system requirements. Additionally, any reference to introductory employees prior to May 1, 2017 has been removed, along with modifications to clarify the approval process for pay increases. Clarification was also added to establish base pay based off on an hourly rate. Additional clarification was added to the cost-of-living section, clarifying that any increase will be rounded to the nearest cent. This ordinance change was presented to and endorsed by the EAC.

MOVED by Burk SECOND by Hampton to adopt **Ordinance 20-28**, waive the reading of the ordinance, read the title only and establishing an effective date of thirty days after passage. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Warren. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 20-28

AN ORDINANCE AMENDING PERSONNEL POLICIES AND PROCEDURES SECTIONS 17-1-4-133, 17-1-4-134, 17-1-4-135 AND 17-1-4-136, CHAPTER 17, LAWTON CITY CODE 2015, BY CLARIFYING THE ESTABLISHMENT OF PAY BASED OFF OF AN HOURLY RATE, CLARIFYING THAT COST OF LIVING INCREASES WILL BE ROUNDED TO THE NEAREST CENT, CHANGING ANY REFERENCE TO PAY PLAN STEPS FROM ALPHABETICAL TO NUMERICAL; DELETING LANGUAGE REFERRING TO INTRODUCTORY EMPLOYEE PRIOR TO MAY 1, 2017; CLARIFYING THE APPROVAL PROCESS FOR PAY INCREASES; PROVIDING FOR SEVERABILITY AND DECLARING AN EFFECTIVE DATE OF DECEMBER 28, 2020.

26. Consider adopting a resolution amending the current pay plan to coincide with the new Human Resources Management System by retitling steps from alphabetical to numerical, modifying the rounding of current pay rates up to two decimal places for certain grades/steps, modifying the executive ranges to include Grades 18, 19 and 20, deleting Grades 18, 19 and 20, and repealing all previous general employee pay plans, effective December 28, 2020. Exhibits: Resolution 20-__, Current Pay Scale and Proposed Pay Scale.

D. Burk stated the existing pay plan has been modified to reflect the necessary changes to coincide with the new system requirements. The new system will carry out rates of pay two decimals, rather than four as is done in the current system. For purposes of converting the rounding to two decimals, all current rates of pay that reflected a fractional cent were rounded up to ensure that no employee were in the range of .0001 to .0099, the two decimal amounts have been rounded up for consistency. Additionally, the executive ranges have been modified to include Grades 18, 19 and 20 allowing Grades 18, 19 and 20 to be deleted from the plan.

MOVED by Burk SECOND by Warren to approve **Resolution 20-134**. AYE: Jackson, Chapman, Burk, Hampton, Fortenbaugh, Warren, Hankins. NAY: None. MOTION CARRIED.

27. Discuss the current practice of having regular council meetings at 2:00 pm, and if desired, direct staff as necessary. Exhibits: None.

Mayor Booker stated when the council put this in place 90 days ago they said they would revisit the issue in 90 days.

Burk stated it has proven itself due to the number of people who have attended at 2 p.m. His older constituents prefer the afternoon meetings, so they don't have to get out after dark, specifically in the wintertime. He is concerned that if they go back to 6 p.m. meetings they will spending money on overtime for employees to stay after hours. He has had no one tell him they don't like the 2 p.m. meeting. They do like the new video of the meeting which is good quality, and they can watch it anytime. He believes they need to keep it at 2 p.m.

Mayor Booker questioned if they need a motion.

Wilson stated this item was to discuss the practice of having the meetings at 2 p.m. and if desired, direct staff as necessary.

Mayor Booker stated they only need to make a motion if there are any changes.

Fortenbaugh stated they are saving money for the citizens and that alone drives his decision over anything else.

Hampton stated he feels that when they had evening meetings he felt they were under pressure to speed up discussions on issues.

Mayor Booker stated that no action is required.

STAFF REPORTS

Cleghorn updated the council on the bulk pickup program. He stated on December 8th, they have scheduled a special council meeting to discuss the Novak report.

Kara Haynes, Finance Director, presented revenue and expenditure highlights for the period ending October 31, 2020. (On file in the City Clerk's office).

Mayor Booker stated they will be striking item #28 from the agenda.

The Mayor and Council convened in executive session at 4:27 p.m. and reconvened in regular, open session at 4:58 p.m. Roll call reflected all members present.

EXECUTIVE SESSION ITEMS:

28. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending case in Comanche County District Court of Jonathan Crouse, Kelly Crouse, K.D.C, M.G.C, P.A.C., v. City of Lawton, CJ-2017-695, and if necessary, take appropriate action in open session. Exhibits: None. **STRICKEN**
29. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a collective bargaining agreement for FY 2020-2021 between the International Union of Police Associations (IUPA), Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None.

Wilson read the title of item #29.

MOVED by Warren SECOND by Burk to authorize the City Manager to appoint a city negotiation team for the purpose of entering a collective bargaining with the International Union of Police Associations (AFLCIO) Local 24 for fiscal year 2021-2022 contract. AYE: Fortenbaugh, Warren, Hankins, Jackson, Chapman, Burk, Hampton. NAY: None. MOTION CARRIED.

There being no further business to consider, the meeting adjourned at 5:00 p.m. upon motion, Second and roll call vote.

STAN BOOKER, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK