

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JANUARY 22, 2008 - 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 REGULAR MEETING OF NOVEMBER 27, 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 denial: Timothy Demonbreun in the amount of \$3,042.40 and Brian N. and Bridget D. Trimble in the amount of \$180.00. Exhibits: Legal Opinions/Recommendations. Page 1
2. Consider approval of the Retainer Agreement for Legal Services between the City of Lawton and Leah S. Terrill-NesSmith and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Retainer Agreement for Professional & Legal Services on file in City Clerk's Office. Page 6
3. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in filing and making payment of the judgment in the Workers' Compensation case of Gary Fountain in the Workers' Compensation Court, Case No. 2007-01270H. Exhibits: Resolution No. 2008-____. Page 7
4. Consider a request from the Great Plains Improvement Foundation, Inc. to authorize the Mayor to sign a Certification of Local Approval to be included in an application to the Oklahoma Department of Commerce for an Emergency Shelter Grant to assist in operating the Carter Crane Homeless Shelter. Exhibits: Letter of request from Great Plains Improvement Foundation, Inc. Page 10
5. Consider a modification to the Tourism, Economic and Industrial Development Agreement with the Lawton Fort Sill Chamber of Commerce & Industry to only require maintenance of separate bank account of Hotel/Motel funds when an advance of Hotel/Motel funds are provided to the Chamber. Exhibits: Letter from Dana Davis, Copy of Agreement. Page 12
6. Consider accepting State Aid for Libraries grant of \$64,191 from the Oklahoma Department of Libraries for FY 2007-2008. Exhibits: State Aid agreement on file in the City Clerk's office. Page 20
7. Consider approving contract with Theatreworks USA for school performances of "Henry and Mudge" on Tuesday, April 1, 2008. Exhibits: Contracts on file in City Clerk's office. Page 21

8. Consider approving contracts for ‘School of the Arts’, Spring 2008 semester for Steven Scott Smith (\$ 630), Lawrence Johns (\$ 540), Kenneth Hobbs (\$ 270), and Sandra Dunn (\$ 270) faculty members for the project. Total amount for spring semester stipends is \$ 1,710.00. Exhibits: Contracts on file in City Clerk’s office. Page 22
9. Consider a retainer agreement for professional services to be provided by Brent Ash, an independent contractor, and the City of Lawton for the hunting, trapping and removal of feral hogs on City owned property in accordance with the Lawton City Code Section 19-4-411-C5. Exhibits: Retainer Agreement for Professional Services. Page 23
10. Consider accepting the West Cache Road 24” Waterline Phase II Project #2005-8 as constructed by Howard Construction, Inc. and placing the Maintenance Bond into effect. Exhibits: None. Page 27
11. Consider approving Change Order No. 2 for the Water Infrastructure Improvement Phase 2 (Tower) Project #2006-9 with Landmark Structures I, L.P. Exhibits: None. Page 28
12. Consider authorizing the Mayor and City Clerk to enter into a Professional Services Agreement with CH2M Hill for the Structural Investigation and Report for the leak of the Medicine Park Water Treatment Plant Finished Water Storage Clearwell located at Medicine Park, Oklahoma. Exhibits: Professional Services Agreement. Page 29
13. Consider granting a Revocable Permit for the construction of a wooden fence with masonry supports along SW 52nd Street for The Highlands, Part 1. Exhibits: Application and Site Plan. Page 32
14. Consider granting a Revocable Permit to use a portion of the NW 62nd Street right-of-way south of Oak Avenue for parking and maneuvering. Exhibits: Application and Revocable Permit. Page 36
15. Consider approving the record plat for Eisenhower Village Addition, Part 11, and accepting the improvements, escrow agreement in lieu of completion of minor improvements, and maintenance bonds. Exhibits: Plat Map. Escrow Agreement and Maintenance Bonds on file in City Clerk’s Office. Page 42
16. Consider approving the Replat of Block 6 and Lots 22-43, Block 4, Eastlake Addition, Part Two. Exhibits: Plat Map. Page 44
17. Consider acknowledging receipt of a Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 4,620 linear feet of eight (8) inch PVC waterline plus, 1,720 linear feet of 10 (ten) inch PVC waterline plus, 850 linear feet of 12 (twelve) inch PVC waterline and all appurtenances and a Tier I permit for the construction of 6,200 linear feet of eight (8) inch sewer line and all appurtenances to serve Oak Ridge Addition Part 1, located at 67th Street and Bishop Road, in the SW/4 of Section 4, T-1-N, R-12-W, I.M., Comanche County, Oklahoma. Exhibits: Permits to Construct on file in the City Clerk’s office. Page 46

18. Consider acknowledging receipt of a Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 780 linear feet of eight (8) inch PVC water line and all appurtenances to serve Simpson Avenue, located at SE Simpson and D Avenue, in the NW/4 of Section 32, T-2-N, R-11-W, I.M., Comanche County, Oklahoma. Exhibits: Permit to Construct on file in the City Clerk's office. Page 47
19. Consider awarding (CL08-026) Self-Contained Spreader-Hopper to Frontier Equipment Sales, LLC of Yukon, OK. Exhibits: Department recommendation, abstract of bids. Page 48
20. Consider extending the contract (CL06-035) Sludge Dewatering Polymer with Polydyne, Inc. of Riceboro, GA. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 53
21. Consider approving appointments to boards and commissions. Exhibits: None. Page 59
22. Consider approval of payroll for the period of December 31 – January 13, 2008.

BUSINESS ITEMS:

23. Consider adopting an ordinance pertaining to Buildings, Construction and Housing amending Sections 6-1-1-101 through 6-1-1-106, Division 6-1-1, Article 6-1; Sections 6-2-1-203 through 6-2-1-203 and 6-2-1-214, Division 6-2-1, Article 6-2; Sections 6-4-1-401 through 6-4-1-403 and 6-4-1-406 through 6-4-1-408, Division 6-4-1, Article 6-4; Sections 6-5-1-501 through 6-5-1-505, Division 6-5-1, Article 6-5; and Sections 6-5-2-221 through 6-5-2-223, Division 6-5-2, Article 6-5; all in Chapter 6, Lawton City Code, 2005; and pertaining to Fire Department and Services amending Sections 11-2-201, 11-2-204, 11-2-208 and 11-2-209, Article 11-2, Chapter 11, Lawton City Code, 2005; by adopting the 2006 editions of the International Building Code, the International Residential Code, the International Plumbing Code, the International Mechanical Code, the International Fuel Gas Code, the International Property Maintenance Code, the International Existing Building Code and the International Fire Code, and adopting amendments thereto, providing for severability and declaring an emergency. Exhibits: Ordinance No. 08-_____. Page 61
24. Consider an ordinance amending Section 22-2-1-215, Division 22-2-1, Article 22-2, Chapter 22, Lawton City Code, 2005, by amending the City's Leak Adjustment Policy by providing a more defined procedure for consumers who have a hidden underground water leak of which the consumer was unaware, providing for severability and declaring an emergency. Exhibits: Ordinance 2008-_____. Page 82
25. Consider an ordinance amending Section 19-5-504, Article 19-5, Chapter 19, Lawton City Code, 2005, by establishing late payment fees for boathouse payments not paid in a timely manner, providing for severability and declaring an emergency. Exhibits: Ordinance 2008-_____. Page 87

26. Consider an ordinance amending Section 19-1-111, Article 19-1, Chapter 19, Lawton City Code, 2005, by establishing the authority for the Lakes Supervisor to issue day use area permits regardless of the time of year the permit is requested and establishing campsite #24 at Lake Lawtonka's East campground as a preferred camping site and adopt a Resolution amending Appendix A Schedule of Fees and Charges establishing preferred campsites, providing for severability and declaring an emergency. Exhibits: Ordinance 2008-_____. Page 90
27. Consider adopting an ordinance notifying the public of the publication of Supplement No. 3 to the Lawton City Code, 2005, and declaring an emergency. Exhibits: Ordinance 08 - _____. Page 97

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

28. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending lawsuit in the District Court of Comanche County, State of Oklahoma, Jason Pena v. City of Lawton, et al., Case No. CJ-07-1176, and if necessary, take appropriate action in open session. Exhibits: None. Page 100
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 2008-2009 between the Fire Union IAFF, Local 1882, and the City of Lawton, and take appropriate action in open session. Exhibits: None. Page 101
30. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss interest arbitration for a Collective Bargaining Agreement for FY 2008-2009 between the Police Union, IUPA, Local 24, and the City of Lawton, and take appropriate action in open session. Exhibits: January 7, 2008, letter from IUPA, Local 24 President, Tommy Harrell. Page 102
31. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the evaluation review of Michael Corrales, Municipal Judge, and if necessary, take appropriate action in open session. Exhibits: None Page 104

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."