



City of Lawton

City Council

Agenda

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma
73501-3944

Tuesday, January 23, 2024

2:00 PM

**Lawton City Hall
Council Chambers/Auditorium**

"Official action can be taken only on items which appear on the agenda. The Council may adopt, approve, ratify, deny, defer, recommend, or continue any agenda item. The Council may also propose and enact floor amendments to any matter presented before them. When more information is needed to act on an item, the Council may refer the matter to the City Manager or the City Attorney. The Council may also refer items to standing committees of the Council or a board, commission, or authority for additional study. Under certain circumstances, items are deferred to a specific later date or stricken from the agenda entirely."

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION:

Employee Spotlight Award: Earnest Morman, Public Works

REPORTS: MAYOR/CITY COUNCIL

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.

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 adopting a resolution authorizing the City Attorney to settle the two (2) pending tort claims from the Lawton Family YMCA, said settlement to be in the total amount of \$100,000.00, and authorizing the City Attorney to prepare and file said resolution and all appropriate settlement documents for the Court's approval. [24-1187](#)

Attachments: [DC-2023-024 and DC-2023-047, YMCA-Resolution and Warrant of Attorney](#)

2. Consider adopting a resolution approving the joint petition settlement in the amount of \$10,368.00 and making payment in the workers' compensation claim of Austin Solenberg. [24-1180](#)
Attachments: [Solenburg, Austin - Resolution](#)
3. Consider approving a resolution amending Appendix A, Chapter A-1, Articles A-1-2A, Schedule of Fees and Charges, Lawton City Code, 2015, revising the current fee schedule pertaining to the Lawton Police Records Division by adjusting certain fees to be reflective of Oklahoma State Statute. [23-977](#)
Attachments: [Resolution 24-](#)
[FY 2023 Fee Comparison Chart](#)
4. Consider approving modification to the agreement between the City of Lawton (City) and the Oklahoma Department of Transportation (ODOT) Project Number TAP3-2988(004) TP, State Job Number 32988(04)(05), City of Lawton Project Number EN1604, Pedestrian Bridge on East Gore Blvd over I-44. [23-1074](#)
Attachments: [3298804-2 Invoice.pdf](#)
[32988\(04\) Bid Tabs.pdf](#)
[32988\(04\) Supplemental MOD NOT TO EXCEED Funding Agreement.pdf](#)
5. Consider and take action approving Amendment No. 3 to the Master Services Agreement with Garver, LLC for Professional Engineering Services updating the City of Lawton's Stormwater Master Plan in the amount not to exceed \$750,000.00. [24-1127](#)
Attachments: [Amendment 3 Garver](#)
[B-2 Scope of Services](#)
[B-3 Fee Summary](#)
6. Consider approving professional services contract in the amount of \$24,256.00 with C.H. Guernsey & Company for the initial services schematic design report phase of the Project PR2302 Renovation of National Guard Armory. [24-1133](#)
7. Consider approving professional services contract in the amount of \$18,648.00 with C.H. Guernsey & Company for the initial services schematic design report phase of the Project PR2306 Carnegie Library Restoration and Repair. [24-1136](#)

8. Consider approving a resolution giving written consent for the annexation of certain property owned by the City of Lawton located at the Southeast Quarter (SE ¼) of Section Thirty (30), Township One (1) North, Range Eleven (11) West, I.M.; setting a public hearing for February 27, 2024 to consider the annexation and directing notice of the proposed annexation and public hearing to be published and mailed as required by 11 O.S. Section 21-103(B). [24-1163](#)
- Attachments:** [DEED 2611-142](#)
[Deed 2611-144](#)
[Location Map](#)
[Notice of Publication](#)
[1. Proposed Resolution](#)
9. Consider approving a request to enter into a memorandum of understanding with the Oklahoma Bureau of Narcotics and Dangerous Drugs (OBNDD) and the City of Lawton authorizing the utilization of the Lawton Police Department's Training Facility to train their new officers in the Council of Law Enforcement and Training's Basic Academy (CLEET) which has been authorized by formal board action. [24-1165](#)
- Attachments:** [CLEET MOU - OBN 2024](#)
10. Consider approving a request to enter into a memorandum of understanding with the Jackson County Sheriff's Office and the City of Lawton authorizing the utilization of the Lawton Police Department's Training Facility to train their new officers in the Council of Law Enforcement and Training's Basic Academy (CLEET) which has been authorized by formal board action. [24-1166](#)
- Attachments:** [CLEET MOU - Jackson County Sheriff 2024](#)
11. Consider approving a request to enter into a memorandum of understanding with the Walters Police Department and the City of Lawton authorizing the utilization of the Lawton Police Department's Training Facility to train their new officers in the Council of Law Enforcement and Training's Basic Academy (CLEET) which has been authorized by formal board action. [24-1167](#)
- Attachments:** [CLEET MOU - Walters 2024](#)
12. Consider approving a request to enter into a memorandum of understanding with the Comanche County Sheriff's Department and the City of Lawton authorizing the utilization of the Lawton Police Department's Training Facility to train their new officers in the Council of Law Enforcement and Training's Basic Academy (CLEET) which has been authorized by formal board action. [24-1168](#)
- Attachments:** [CLEET MOU - Comanche County Sheriffs Office 2024](#)

13. Consider extending contract (CL23-008) Fluorosilicic Acid with Univar Solutions USA, Inc [24-1172](#)
Attachments: [Univar Ext. Form](#)
[Dept. Recommendation](#)
14. Consider accepting temporary construction easements and permanent utility and access easements from ARCP MD Lawton OK LLC, The Merry Widow Trust, Lawton LTC Land, LLC, and Rob Properties, LLC, for the Cache Road water main and sidewalk project, authorizing the Mayor and City Clerk to execute the documents, and payments for the same. [24-1175](#)
Attachments: [ARCP MD Perm Ease](#)
[Merry Widow Trust Temp & Perm Ease Doc](#)
[Lawton LTC Land Perm Ease Doc](#)
[Rob Properties Perm Ease Doc](#)
15. Consider accepting a grant up to \$80,000.00 to the Library from The Priddy Foundation to be designated for operational support and authorizing the Mayor to sign the contract and any reporting paperwork required. [24-1178](#)
Attachments: [LOA for Lawton Public Library Operational Support CIP 2023 & 2024](#)
[Fall 2023.pdf](#)
16. Consider and take action awarding a contract in the amount of \$9,223,500.00 to Associated Environmental Industries, Corp. for the construction of the Groundwater Supply Well Installation 2023 Project PU2301. [24-1179](#)
Attachments: [Recommendation of Award_Re-Bid signed](#)
[Bid Tab Groundwater Supply Installation PU2301](#)
[PU2301 Groundwater Contract UPDATE](#)
17. Consider accepting a temporary construction easement and permanent utility and access easement from 38th Street Properties, LLC. for the Cache Road water main and sidewalk project located at 7019 NW Cache Road and authorizing the Mayor and City Clerk to execute the documents. [24-1181](#)
Attachments: [38th Street Properties -Temp & Perm Ease Docs](#)
18. Consider approving professional services contract in the amount of \$45,400.00 with GH2 Architects, LLC for the initial services schematic design report phase of Project PR2310 East Side Park and Lee West Park Improvements. [24-1075](#)
19. Consider approving professional services contract in the amount of \$32,700.00 with GH2 Architects, LLC for the initial services schematic design report phase of Project PR2311 Mattie Beal Park Improvements. [24-1183](#)
Attachments: [PR2311 Mattie Beal Park\[44\].pdf](#)

20. Consider approving professional services contract in the amount of \$28,800.00 with GH2 Architects, LLC for the initial services schematic design report phase of Project PR2312 Wading Pool Improvements. [24-1184](#)
21. Consider approving the Record Plat for Lawton Marketplace - Phase II. [24-1192](#)
Attachments: [Record Plat](#)
[CPC Minutes 1-11-2024](#)
22. Consider approving the First Amendment to the Lawton Lakes Recreation Area Lease Agreement to allow boathouse space tenants at Lake Lawtonka the option to declare their premise as a short-term rental, allowing for any floor amendments, and authorizing the City Manager and City Clerk to execute the amendment. [24-1198](#)
Attachments: [First Amendment](#)
23. Consider approving a resolution establishing a fee for boathouse space tenants at Lake Lawtonka that declare their premise as a short-term rental and increasing the administrative fee for boathouse sales and/or transfers, allowing for any floor amendments, and authorizing the Mayor and City Clerk to execute the resolution. [24-1199](#)
Attachments: [Res 24-](#)
24. Consider approving a Project Funding Agreement with All About Understanding, subject to All About Understanding also approving the agreement, and once the agreement is approved by both parties, allocate to All About Understanding an amount up to \$74,861.00 from the PROPEL CIP in accordance with the intent of Resolution 23-75, Section C.5 to provide funding for youth programs, as recommended by the Youth and Family Affairs Committee. [24-1203](#)
Attachments: [All About Understanding Support Agreement](#)
[All About Understanding YFAC Application](#)
25. Consider approving a Project Funding Agreement with Teen Court, subject to Teen Court also approving the agreement, and once the agreement is approved by both parties, allocate to Teen Court an amount up to \$45,000.00 from the PROPEL CIP in accordance with the intent of Resolution 23-75, Section C.5 to provide funding for youth programs, as recommended by the Youth and Family Affairs Committee. [24-1204](#)
Attachments: [Teen Court Support Agreement](#)
[Teen Court App & Associated Docs](#)

26. Consider approving a Project Funding Agreement with Lawton Public Schools, subject to Lawton Public Schools also approving the agreement, and once the agreement is approved by both parties, allocate to Lawton Public Schools an amount up to \$150,000.00 from the PROPEL CIP in accordance with the intent of Resolution 23-75, Section C.5 to provide funding for youth programs, as recommended by the Youth and Family Affairs Committee. [24-1205](#)

Attachments: [LPS Support Agreement](#)
[SUMMER EDUCATION CAMPS CITY OF LAWTON LPS Copy of](#)
[YFAC Revised application](#)

27. Consider approving a Project Funding Agreement with Marie Detty Youth and Family Service Center Gang Program, subject to Marie Detty also approving the agreement, and once the agreement is approved by both parties, allocate to Marie Detty Youth and Family Service Center Gang Program an amount up to \$100,000.00 from the PROPEL CIP in accordance with the intent of Resolution 23-75, Section C.5 to provide funding for youth programs, as recommended by the Youth and Family Affairs Committee. [24-1206](#)

Attachments: [Marie Detty Support Agreement](#)
[YFAC Application - Marie Detty Gang Program 2023](#)

28. Consider approving an amended budget and First Amendment to the Funding and Limited Support Agreement between the City of Lawton and the Lawton Youth Sports Trust Authority for FY 23-24, to expand the use of funding allowing for the lease and/or purchase of real property to be the site of the sports complex. [24-1210](#)

Attachments: [LYSA 1st Amendment & Budget](#)

29. Consider accepting \$35,800.00 in State Aid funds from the Oklahoma Department of Libraries to be designated for library materials and authorizing the Mayor to sign the contract and claim form. [23-1182](#)

Attachments: [Lawton SFY23 State Aid Agreement.pdf](#)
[Lawton SFY23 State Aid Claim.pdf](#)
[OAC Title 405 Chapter 25 State Aid Grants to Public Libraries.pdf](#)

30. Consider approving appointments to boards and commissions. [24-1213](#)

Attachments: [Board Appointments- 01.23.24](#)

UNFINISHED BUSINESS:

31. Consider approving an Ordinance amending Section 22-2-1-202, Article 22-2-1, Division 22-2, Chapter 22, Utilities, Lawton City Code, 2015; by clarifying the language that every building and structure meant for human occupancy for more than one hour during the normal course of business or an existing residential dwelling, shall be connected to the public water and shall have an active water account, providing for severability, establishing an effective date and allowing for floor amendments. [24-1164](#)

Attachments: [Ordinance 24-](#)

BUSINESS ITEMS:

32. Receive a report from Traffic Engineering Consultants (TEC) regarding funding needs for a comprehensive upgrade of the city's traffic signal control system. [24-1173](#)
33. Hold a public hearing and consider approving an Ordinance that amends Section 21-1-107, Article 21-1, and Section 21-8-804, Article 21-8 of Chapter 21, Lawton City Code, 2015, by modifying the definition of knuckle and modifying figure 4.1, providing for severability, establishing an effective date and allowing floor amendments. [24-1191](#)

Attachments: [Ordinance NO. 24-](#)
[Current Figure 4.1](#)
[Proposed Figure 4.1](#)
[Notice CPC & Council](#)
[CPC Minutes 1-11-2024](#)

34. Hold a public hearing and adopt a resolution declaring the structures located at 204 SW Park Avenue, 1007 SW Monroe Avenue, 1107 SW New York Avenue, 1308 NW Lincoln Avenue, 1401 SW 8th Street, 1410 SW 20th Street, 1722 SW Washington Avenue, 1738 SW 12th Street, 2011 SW McKinley Avenue, 2601 NW 19th Street, 2809 SW J Avenue, to be dilapidated pursuant to Section 6-5-1 Lawton City Code, ordering the owner to abate the nuisance, authorizing summary abatement, and authorizing the City Attorney to commence legal action in District Court to abate the nuisance. [24-1174](#)

Attachments: [Exhibit A's](#)
[Picture](#)
[Resolution](#)

35. Consider approving a resolution amending the City of Lawton FY 23-24 budget, as amended, by appropriating One Million and 00/100 Dollars (\$1,000,000.00) from Hotel Tax fund to FISTA for an economic development incentive to R4 Technologies, and One Million One Hundred Three Thousand One Hundred Twenty-Eight and 73/100 Dollars (\$1,103,128.73) for FISTA operations and insurance, One Million Five Hundred Twenty-Five Thousand and Three Hundred Fifty 00/100 Dollars (\$1,525,350.00) to the Parks CIP Project for the purpose of Parks improvements as approved during the November 14, 2023 City Council Meeting, One Million 00/100 Dollars (1,000,000.00) to pay industrial development incentive from the Economic Development Project of the CIP Fund, and Two Hundred Thirty-Five Thousand Five Hundred One and 00/100 Dollars (\$235,501.00) for youth programs recommended by the Youth and Family Affairs Committee. [24-1202](#)
- Attachments:** [01.23.24 Budget Amendment Resolution.pdf](#)
36. Receive a report from the Animal Welfare Division regarding departmental operations and take action as deemed necessary. [24-1169](#)
- Attachments:** [State of the Shelter 2023](#)
37. Consider approving an ordinance, including any floor amendments, pertaining to General Provisions, amending Section 1-1-120, Article 1-1, Chapter 1, Lawton City Code, 2015 by retitling the section to include City logos and establishing that City of Lawton trademarked images require approval for external use, providing for severability and establishing an effective date. [24-1176](#)
- Attachments:** [ORD 24-](#)
38. Per the recommendation of the Streets and Bridges Committee, consider amending the “On Target, On Time” milling and overlaying project on Highway 62 to go from NW 79th Street to the ODOT Maintenance Transition spot. [24-1214](#)
- Attachments:** [On Target On Time- Milling and Overlaying Street Project List](#)
39. Per the recommendation of the Streets and Bridges Committee, consider directing staff to initiate the bidding process for King Road and items 11 through 40 on the “On Target, On Time” street project list. [24-1220](#)
- Attachments:** [On Target On Time- Milling and Overlaying Street Project List](#)

STAFF REPORTS:

40. Provide City Council with an update on the FY 2022 & FY 2023 Audit Process [23-991](#)

Attachments: [Progress Report - 2024.01.09.pdf](#)
[Progress Report - 2024.01.17.pdf](#)

41. Receive a report from Neighborhood Services, Parks and Recreation, and Public Works, regarding mowing improvements and direct staff as deemed appropriate. [24-1143](#)

Attachments: [Comprehensive Mowing Plan](#)

42. Receive a presentation from ITS regarding the Interactive Citizen Capital Improvement Project Portal. [24-1207](#)

43. Receive an update from staff on aquatics program. [24-1218](#)

EXECUTIVE SESSION ITEMS:

44. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending claim/action for breach of contract by the City of Lawton against Alfred Espinoza d/b/a/ A.E. Construction Co. ("AEC") as it relates to a settlement agreement dated June 17th, 2019, and if necessary, take appropriate action in open session. [24-1134](#)

45. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending damage claim of Jose Arciniega and Dante Guzman and, if necessary, take appropriate action in open session. [24-1186](#)

46. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending damage claim of Jodyann Williams and, if necessary, take appropriate action in open session. [24-1195](#)

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."