



City of Lawton

City Council

Agenda

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

Tuesday, January 24, 2023

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, amend, strike, or continue any agenda item. 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

PRESENTATIONS:

Certificate of Recognition to Robert Peterson

Employee Spotlight Award to Cindy Augustine, Legal Department

Receive a briefing from Bishop John Dunaway regarding City of Lawton's plans for Juneteenth activities.

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 approval of the minutes of the Lawton City Council regular meeting of December 13, 2022, and special meetings of January 9 and 11, 2023.

[23-89](#)

Attachments: [13Dec22](#)

[09Jan23](#)

[11Jan23](#)

2. Consider the following damage claims recommended for approval: Jack Hanna in the amount of \$56.20, Laurie Hernandez in the reduced amount of \$177.03, and Melissa and Harold Hunt in the amount of \$125.00. [23-72](#)
- Attachments:** [Hanna, Jack - Memorandum](#)
[Hernandez, Laurie - Memorandum](#)
[Hunt, Melissa and Harold - Memorandum](#)
3. Consider renewing a professional services agreement with FORVIS, LLP (FORVIS) for the City's annual auditing services for FY 2021-2022, including the City's required single audit of expenditures from federal financial awards. [23-32](#)
- Attachments:** [City of Lawton Gov GAGAS and Single Audits Contract 6.30.2022](#)
[City of Lawton Contract Addendum 6.30.2022](#)
[City of Lawton Contract - Agreed-Upon Procedures 6.30.2022](#)
4. Consider approving a resolution amending the City of Lawton FY22-23 budget, as amended, by appropriating \$55,594.00 from the Hotel/Motel Fund to the Fireworks Display Fund and LETA account per Resolution No. 22-97. [23-50](#)
- Attachments:** [Hotel Motel Resolution 22-97](#)
[Rollover Balances](#)
[LETA Fireworks Display Roll-over](#)
[LETA Freedom Festival HM Resolution](#)
5. Consider authorizing staff to submit a funding request to the United States Department of Agriculture (USDA) to perform a study of the East Cache Creek and Medicine Creek watersheds. [23-54](#)
6. Consider acknowledging receipt of a permit from the Oklahoma Department of Environmental Quality for the construction of 687 linear feet of eight (8) inch PVC pipe for sanitary sewer collection and all appurtenances to serve the Lawton Market Place Phase II, Comanche County, Oklahoma. [23-69](#)
- Attachments:** [ODEQ Permit No. SL000016220882](#)
7. Consider approving Change Order No. 5 for AE Construction, LLC on Project EN1707P1 2017 Ad Valorem Street and Roads Program (Residential) Phase I-A NW 40th Street and NW 24th Street. [23-94](#)
- Attachments:** [Change Order No. 5 EN1707P1 Phase I-A 40th & 24th Streets-R1pdf.pdf](#)

8. Consider approving Amendment No. 6 to the 2017 Ad Valorem Street and Roads Program (Residential), Phase I - Project No. EN1707P1 with Freese and Nichols, Inc. to provide additional services to prepare the ODEQ permits and construction drawings for waterlines and sewer lines for Phase II Project - Project No. EN1707P2 [23-48](#)

Attachments: [Ad Valorem Streets - Amend 6 Phase 2-Utility PNP.pdf](#)
[Contract Amendment No. 6 - EN1707P2 Ad Valorem Ph2 .pdf](#)
[Freese and Nichols Finance Memo](#)

9. Consider extending contract CL22-022 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. [23-29](#)

Attachments: [Dept Recommendation Memo](#)
[Vendor Extension Form - TMB](#)
[Vendor Extension Form - Polydyne](#)
[Thornton,Musso,Bellemin Specs and Price Sheet](#)
[Polydyne Specs and Price Sheet](#)

10. Consider approving appointments to boards and commissions. [23-61](#)

Attachments: [Board Appointments- 01.24.23](#)

UNFINISHED BUSINESS:

11. Consider approving a contract for sale of real estate with John Steven Williams for the purchase of property located at 911 SW C Avenue in the amount of \$30,000.00 and authorize the Mayor and City Clerk to execute the contract. [23-87](#)

Attachments: [Contract for Sale of Real Estate](#)

12. Consider approving an ordinance, including any floor amendments related thereto, pertaining to the Capital Improvement Program Advisory Committee; amending Section 2-3-11-370 and Section 2-3-11-371, Division 2-3-11, Article 2-3, Chapter 2, Lawton City Code, 2015; by clarifying filling unexpired terms of office for the committee; increasing the number of committee members; requiring one member to be an attorney and another to be a certified public accountant; requiring the committee to comply with the Oklahoma Open Meetings Act; requiring the Director of Finance to submit a report to city council no later than the 30th November of each calendar year; requiring as part of the annual report that the city's auditor review CIP expenditures and provide comments on whether funds appear to be expended in accordance with the purpose of the CIP program; providing for severability and establishing an effective date. [23-17](#)

Attachments: [CIP Committee Ordinance with Brief Gist - 2-3-11-370 371](#)

13. Hold a public hearing and consider adopting a resolution declaring the structures located at 510 SW Monroe 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. [23-79](#)

Attachments: [Exhibit A](#)
[Resolution](#)

BUSINESS ITEMS:

14. Hold a public hearing and adopt a resolution declaring the structures located at 313 NW Sheridan Road, 921 SW 7th Street, 921 SW 36th Street, 1007 SW 9th Street, 1011 SW 9th Street, 1203 SW H Avenue, 1511 SW Texas Avenue, 1512 SW Texas Avenue, 1514 SW Texas, 2302 NW 38th Street, 4549 SW G Avenue, 4610 SW H Avenue, 6927 SW Hampshire Circle, 6929 SW Hampshire Circle, 6931 SW Hampshire Circle, 6933 SW Hampshire Circle, 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. [22-914](#)

Attachments: [Exhibit A](#)
[Resolutions](#)

15. Receive a presentation from EverSash LP, DBA Old Home Rescue on the steps they took to repair the Highland Cemetery entrance arch. [23-51](#)

Attachments: [Highland Cemetery - Lawton-2](#)

16. Discuss implementing an administrative process for declaring structures dilapidated as provided in 11 OS 22-112.B. or Council continuing to hold the required hearings, and take action as deemed necessary. [23-55](#)

Attachments: [Oklahoma Statutes & Survey of Cities](#)

17. Consider an ordinance creating Division 2-3-16 and Section 2-3-16-400 in Article 2-3, Chapter 2, Lawton City Code, 2015, creating a council budget committee for the purpose of holding budget workshops with the City Manager and staff for the purpose of providing guidance to the City Manager and promoting efficiency in the preparation of the City's annual preliminary budget, and after the City Manager's presentation of the preliminary budget to City Council, hold budget workshops on behalf of the City Council to assist in the finalization of the annual budget for City Council approval; establishing the committee's purpose, members, term of members, and duties; requiring minimum monthly meetings throughout the year; requiring compliance with the Open Meetings Act' stating nothing in the ordinance will alter the deadlines applicable to the City as set forth in the Oklahoma Municipal Budget Act; stating nothing in the ordinance is intended to usurp (1) the City Manager's duty to prepare an annual preliminary budget as set forth in Lawton City Charter Section C-3-3, nor (2) the City Council's duties as set forth in Lawton City Charter Section C-2-4, to include the adoption of an annual budget; providing for severability and establishing an effective date. [23-99](#)

Attachments: [Ordinance 23 - _____](#)

18. Consider approving an ordinance, including any floor amendments related thereto, pertaining to Chapter 6 Buildings, Construction and Housing, Section 6-1-1-108D of the Lawton City Code, to increase the number of permit extensions that may be granted for reconstruction, remodel or repair of a structure, deemed dilapidated by the Council, from two (2) permit extensions to five (5) permit extensions; providing for severability and establishing an effective date. [23-100](#)

Attachments: [Ordinance 23 - _____](#)

STAFF REPORTS:

19. Receive a report from the Public Works Department regarding traffic signal operation at the intersections of SE Winners Way & State Highway 7, SW Sheridan Road & 'I' Avenue, and the Gore Boulevard corridor from 2nd Street to Lawrie Tatum Road. [23-57](#)

Attachments: [Public Works Traffic Signals Staff Report 1.24.23.pptx](#)

20. Hotel/Motel Tax Report - Finance Director [23-82](#)

21. Receive an update on the FISTA Project. [23-88](#)

EXECUTIVE SESSION ITEMS:

- 22. Pursuant to Section 307B.11(c), Title 25, Oklahoma Statutes, consider convening in executive session to receive a briefing about the FISTA-defense program/facility in Lawton Fort Sill and any current threat assessment analysis, prevention framework for deterrence and local awareness, community responsibility and a proactive training program, and if necessary, take appropriate action in open session. [23-91](#)
- 23. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review the employment of Nathan Johnson as Municipal Court Judge, and in open session take other action as necessary. [23-76](#)
- 24. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss pending litigation in the case Cintas Corp. No. 2 v. City of Lawton, CJ-2022-598, and, if necessary, take appropriate action in open session. [23-64](#)
- 25. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the status of an ongoing investigation concerning pension calculations, and, if necessary, take appropriate action in open session. [23-78](#)

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."