

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
FEBRUARY 12, 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 MEETINGS OF JANUARY 8 AND JANUARY 22, 2008.

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 are over \$400.00: Craig Scott Combs (Lawson Autoplex) in the reduced amount of \$414.59, Dale L. and Myrna M. Shepard in the reduced amount of \$25,000.00, Randy Anderson in the amount of \$1,200.00 and Melody Figuera in the amount of \$32.98. Exhibits: Legal Opinions/Recommendations, Resolution No.____, Resolution No.____ and Resolution No.____. Page 1
2. Consider approval of the Retainer Agreement for Legal Services between the City of Lawton and Dennis Butler 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 16
3. Consider approval of the Retainer Agreement for Legal Services between the City of Lawton and John C. Mackey, 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 17
4. Consider approval of the Amended Retainer Agreement for Professional Services with Mary Anne Derrico, RN, to continue providing professional services to the City of Lawton, and authorize the Mayor and City Clerk to execute the Amended Agreement. Exhibits: Proposed Amended Agreement. Page 18
5. Consider approval of the Retainer Agreement for Professional Services with Doctor Eric Frische, to provide professional services to the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement is on file at the City Clerk's Office. Page 22
6. Consider ratifying the action of the City Attorney in filing an appeal in the workers compensation case of Dwight Franklin, Workers Compensation Court Case No. 2007-02330. Exhibits: Resolution No. 2008-____. Page 23
7. Consider ratifying the action of the City Attorney and the City Manager in not recommending an appeal of the judgment in the Workers' Compensation case of Samuel Lee Shubert in the Workers' Compensation Court, Case No. 2004-15989Q. Exhibits: None. Page 25

8. Consider adopting a Letter in Support and a Resolution in Support for equal distribution of transportation funding from a ½ cent return of State Sales Tax generated within the City of Lawton, Oklahoma for construction and/or repairs of local city roads and bridges and transportation infrastructure, and authorize the Mayor and City Clerk to execute the necessary documents. Exhibits: House Bill 2707-Transportation Bill, Letter in Support, - Resolution of Support 08-_____, A Bold Idea: ½ Cent STATE Sales Tax for Town and City Roads and Bridges, Proposed Appropriations for Road and Bridge Improvements in Municipalities from One-half Cent of State Sales Tax and FY 2004-2005 Revenue & Apportionment. Page 26
9. Consider approving request from the Arts & Humanities Division to pursue applying for a Local Government Challenge Grant from the Oklahoma Arts Council for FY 2008-09. Exhibits: None. Page 41
10. Consider approving a request from the Lawton Police and Fire Departments that \$27,350.00 be transferred from Training Fund 79 to Police Training Fund 69-265 and Fire Training Fund 95-265. Exhibits: None. Page 42
11. Consider accepting donation of \$1,000 from Wal-Mart West, 6301 NW Quannah Road, to be used to purchase equipment and supplies for the Lawton Police Department dive team. Exhibits: None. Page 43
12. Consider accepting a donation of \$1,000 from Sam's Club, 802 N. Sheridan Road, to be used for the Lawton Police Department Cops and Kids Picnic. Exhibits: None. Page 44
13. Consider accepting a donation of \$136.00 from the Mission Village Neighborhood Watch to be used to purchase equipment and supplies for the Lawton Police Department dive team. Exhibits: None. Page 45
14. Consider approving plans and specifications for the NW 67th Street (Cache Road to Rogers Lane) Water Line Relocation Project #2008-7 and authorizing staff to advertise for bids. Exhibits: None. Page 46
15. Consider accepting warranty deeds and easements from property owners for right of way needed for the NW 67th Street Reconstruction (Cache Road to Rogers Lane) Project # 2003-7, authorizing the Mayor and City Clerk to execute the documents and authorizing payments for same. Exhibits: Documents are on file in the City Clerk's office. Settlement Table. Page 47
16. Consider adopting a Resolution authorizing the installation/removal of traffic control measures at or along NW Parkview Blvd.; NW Laird Blvd.; SW Wyatt Village Blvd. at SW 82nd St.; SW Kingston Dr. at SW 52nd St.; SW Cambridge Dr. at SW 52nd St.; SW Majestic Oak Blvd. at SW 67th St.; SW Oak Pointe Blvd. at SW 67th St.; SW 47th St. at SW Malcom Rd.; SW Coral St. at SW Boatsman Ave.; NW Ferris Ave.; NW Ash Ave.; and SE 4th St. at SE J Ave. Exhibits: Traffic Commission Minutes, Traffic Issue Requests, and Resolution No. 08-_____. Page 49
17. Consider denying the request for installation of traffic control measures at the intersection of SW I Avenue at SW 5th Street. Exhibits: Traffic Commission Minutes and Traffic Issue Request. Page 71

18. Consider approving the construction plans and specifications for a waterline to serve Enterprise Rent-A-Car located at 6103 NW Cache Road. Exhibits: Location Map. Page 79
 19. Consider approving the construction plans for a fire hydrant to serve Fort Sill National Bank at 203 SW Bishop Road. Exhibits: Location Map. Page 81
 20. Consider approving the plans and specifications for waterline improvements to serve Lawton Place Apartments at 7301 SW Lee Boulevard. Exhibits: Location Map. Page 83
 21. Consider approving the construction plans and specifications for waterlines to serve The Legend Park Apartments located at 3501 East Gore Boulevard. Exhibits: Location Map Page 85
 22. Consider approving the construction plans and specifications for water and sewer lines to serve Switzer's Locker Room located at 2701 NW 38th Street. Exhibits: Location Map Page 88
 23. Consider extending the contract (CL06-036) Thermoplastic Material with Swarco Industries, Inc. of Columbia, TN. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 92
 24. Consider awarding (CL08-027) 4x8 Trench Box to ASCO Equipment of Wichita Falls, TX. Exhibits: Department recommendation, abstract of bids. Page 96
 25. Consider awarding (RFPCL08-030) Solid Waste Software to Paradigm Software, L.L.C. of Hunt Valley, MD. Exhibits: Department recommendation, cost sheet. Page 99
 26. Consider awarding (RFPCL08-033) Design, Printing & Mailing of a Consumer Confidence Report to ColorGraphics "The Print Shop" Inc. of Lawton, OK. Exhibits: Department recommendation, proposal price sheets. Page 104
 27. Consider awarding (CL08-032) Sodium Hydroxide to Brenntag Southwest Inc. of Sand Springs, OK. Exhibits: Department recommendation, abstract of bids. Page 108
 28. Consider extending the contract (CL07-021) Extrication Tool with Chief Fire & Safety Co., Inc. of Chickasha, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 111
 29. Consider approving appointments to boards and commissions. Exhibits: None. Page 115
 30. Consider approval of payroll for the periods of January 14 – February 10, 2008.
- BUSINESS ITEMS:
31. Consider a resolution authorizing the Comanche Nation to name the entrance to the Comanche Nation Museum and Cultural Center as Ten Bears Way. Exhibits: Resolution 2008-____. Page 116

32. Consider a request from Joe Bussey, through his attorney M. Monty Hightower, to vacate the Notice & Administrative Orders mailed December 7, 2007 on the property located at 7403 W. Gore Boulevard. Exhibits: Notice and Administrative Orders, Appeal to Notice and Administrative Orders. Page 118
33. Consider establishing Robinson's Landing camping facilities as seasonal camping sites in accordance with Chapter 19 of the City Code starting in September of 2008 and direct staff to send a letter notifying all annual campers that the camping area will be closed for renovations and that all personal items will need to be removed by September 1, 2008. Exhibits: None. Page 128
34. Consider approving proposed Council Policy No. 9-2 which shall be named City Council Parade and Assembly Policy. Exhibits: Council Policy No. 9-2. Page 129
35. Consider adopting an ordinance pertaining to offenses and crimes amending Section 16-4-3-431, Division 16-4-3, Article 16-4, Chapter 16, and repealing Sections 16-4-3-432 through 441, Division 16-4-3, Article 16-4, Chapter 16, Lawton City Code, 2005, by establishing that no person shall hold, conduct or participate in a parade/assembly without first obtaining a permit as required, providing for severability, repealer, and declaring an emergency. Exhibits: Ordinance No. 2008-_____. Page 143
36. Consider adopting an ordinance pertaining to business creating Sections 7-31-1-3101 through 3112, Division 7-31-1, Article 7-31, Chapter 7, Lawton City Code, 2005, by establishing a more defined procedure for obtaining permits for parades, street fairs, and assemblies, providing for severability, codification, and declaring an emergency; consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, to establish fees for parades and public assemblies; and consider approving a resolution amending Appendix B, Bond Schedule, Lawton City Code, 2005, to establish facilities damage bonds. Exhibits: Ordinance No. 2008-_____; Resolution No. 2008-_____; Resolution No. 2008-_____. Page 148
37. Consider adopting an ordinance pertaining to recreation amending Section 19-7-701, Article 19-7, Chapter 19, Lawton City Code, 2005, by establishing that revised closing hours for a specified park may be made by an approved parade/assembly permit or by an approved Elmer Thomas Park/Lake Helen Stage Lease Agreement, providing for severability, and declaring an emergency. Exhibits: Ordinance No. 2008-_____. Page 167
38. Consider adopting an ordinance pertaining to business amending Sections 7-23-1-2301, 2302 and 2304, Division 7-23-1, Article 7-23, Chapter 7, Lawton City Code, 2005, by establishing guidelines for sound amplification, providing for severability, and declaring an emergency; consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, to establishing a fee for sound truck/sound amplification equipment permit per hour; and consider approving a resolution amending Appendix B, Bond Schedule, Lawton City Code, 2005, to establish a bond for sound truck/sound amplification equipment. Exhibits: Ordinance No. 2008-_____; Resolution No. 2008-_____; Resolution No. 2008-_____. Page 170

39. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, to establish miscellaneous fees for special recreational events, and establish an effective date. Exhibits: Resolution No. 2008-_____. Page 178
40. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, to establish fees for the requested dumpster size and the number of dumps per day needed for special events, and establish an effective date. Exhibits: Resolution No. 2008-_____. Page 187
41. Discuss the proposed Council Policy No. 6-4, regarding cost sharing for new fire hydrant installation and/or public water main improvements and take appropriate action as necessary. Exhibits: Draft Policy and Draft Application Form. Page 192
42. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, to establish a fee for application to cost share new fire hydrant installation and/or public water main improvements. Exhibits: Resolution No. 08-_____. Page 199
43. Consider an ordinance amending Section 17-1-6-165, Division 17-1-6, Article 17-1, Chapter 17, Lawton City Code, 2005, by changing full-time and part-time employees who are ordered by proper authority to active military service to be entitled to a full regular pay and benefits from twenty (20) calendar days to thirty (30) calendar days in each federal fiscal year from the city while on such leave, providing for severability and declaring an emergency. Exhibits: Ordinance No. 2008-_____. Page 201
44. Consider receiving a report on the City's financial condition for the 2nd Quarter of fiscal year 2007-2008, and provide direction to staff. Exhibits: None. Page 204

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

45. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the litigation styled City of Lawton vs. Bob L. Mansell, et al, Case No. CJ-2007-822, pending in Comanche County District Court; and if necessary, take appropriate action in open session. Exhibits: None. Page 205
46. Pursuant to Section 307B. 4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations between the City and the AFSCME employees group, and if necessary, take appropriate action in open session. Exhibits: None. Page 206

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."