

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
FEBRUARY 12, 2013- 6:00 P.M.
NEW CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF OUTSTANDING CITIZEN RECOGNITION TO DAISY PEREZ

PRESENTATION FROM KOREAN WAR VETERANS ASSOCIATION CHAPTER 319

PRESENTATION OF OKLAHOMA MUNICIPAL LEAGUE HONOR ROLL OF SERVICE

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 DECEMBER 11, 2012 AND JANUARY 22, 2013.

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 claim recommended for approval: Rosalinda Bender in the amount of \$1,000.00. Exhibits: Legal Opinion/Recommendation and **Resolution No. 13-09.**
2. Consider the following damage claim recommended for denial: Richard and Tamara Brown in the amount of \$75.00. Exhibits: Legal Opinion/Recommendation.
3. Consider adopting a resolution approving payment on the judgment in the Workers' Compensation case of Keenon Davis in the Workers' Compensation Court, Case No. 2010-07856K. Exhibits: **Resolution No. 13-10.**
4. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of Dennis Jensen. Exhibits: **Resolution No. 13-11.**
5. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in directing our third party administrator to make payment on the judgment in the Workers' Compensation case of Jerry Lynn in the Workers' Compensation Court, Case No. 2010-00338K. Exhibits: **Resolution No. 13-12.**

6. Consider approving an Agreement between the Lawton Heritage Association and the City of Lawton to fund activities by the Association designed to encourage, promote and foster tourism in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Agreement for Limited Services with Attached Budget.
7. Consider approving an Agreement for Professional Services between Kenneth Otten, Otten Consulting Group, Inc. and the City of Lawton to provide expert witness services and testimony on behalf of the City of Lawton in the case styled Joseph Harper and Vivian Wheeler vs. City of Lawton, Oklahoma, Western District of Oklahoma Court Case No. CV-12-841-F, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Agreement between Kenneth Otten and City of Lawton.
8. Consider adopting a Resolution authorizing the City of Lawton to apply for a grant from the Oklahoma Strategic Military Planning Commission, through the Department of Commerce, in the amount of \$256,100 to provide enhanced technology and equipment to schools & classrooms with high percentages of Military Children, and to provide additional space at an overcrowded Military Welcome Center at Lawton Regional Airport, and authorize the Mayor and City Clerk to execute all necessary documentation. Exhibits: **Resolution No. 13-13** and Oklahoma Strategic Military Planning Commission Grant Application Form.
9. Consider approving the appeal process to be used as part of the removal of hazardous trees within the street rights-of-way. Exhibits: Acknowledgement.
10. Consider approving the waiving of Special assistance fees in the amount of \$400.00 as set out in accordance with Chapter 7-31-3101 -3112 of the Lawton City Code and Council Policy 9-2 Parade and Assembly Policy for support of the Community Free Dental Clinic held on Feb.1-2, 2013 at the Great Plains Coliseum. Exhibits: None.
11. Consider accepting a \$150 gift and memorial donation to the library from a library patron to purchase a book in memory of a family member. Exhibits: None.
12. Consider approving the extension of the Lease Agreement with Lawton Boat Club for an additional five-year term as permitted Paragraph 3 of the original agreement, and authorize the Mayor and City Clerk to execute any necessary documents to effectuate the extension. Exhibits: Letter Requesting Extension, Renewal Document and Payment History Document. Original Agreement and First Amendment is on file in the City Clerk's Office.
13. Consider approving the extension of the Ground Lease and Non-Exclusive Sailboat Dock Operation Agreement for an additional five-year term as permitted in Section 2.7 of the original agreement, and authorize the Mayor and City Clerk to execute any necessary documents to effectuate the extension. Exhibits: Letter Requesting Extension, Renewal Document and Payment History Document. Original Agreement and First Amendment is on file in the City Clerk's Office.

14. Consider reviewing a request to temporarily suspend the 2013 annual boathouse fees due to low water levels at Lake Ellsworth for selected boathouse space sites deemed to be unusable by the Parks and Recreation Director and take appropriate action, if necessary. Exhibits: Appendix A - Schedule of Fees.
15. Consider approving Elmer Thomas Park standard lease agreement with Carson & Barnes Circus for two performances on Tuesday, May 7, 2013. Exhibits: Site map of Circus in Elmer Thomas Park. Standard Elmer Thomas Park lease agreement is on file in the City Clerk's office.
16. Consider releasing the performance bond for incomplete improvements for Eastlake Addition, Part 3A, and accepting the improvements and maintenance bonds. Exhibits: Plat Map. Maintenance Bonds on file in City Clerk's Office.
17. Consider approving the record plat for the Replat of Lot 3, Block 1, Fire View Addition. Exhibits: Plat Map.
18. Consider approving the construction plans for the sanitary sewer line to serve the Hilton Garden Inn and Convention Center located at 135 NW 2nd Street on Lot 3, Block 1, Lawton Downtown Center, Part 1, subject to conditions. Exhibits: Location Map.
19. Consider entering into a Lease-Purchase Agreement with Keegan Ledford Construction, Inc. for approximately 2,366 linear feet of 12 inch diameter sanitary sewer main located near the intersection of NE 45th Street and NE Cache Road. Exhibits: Lease-Purchase Agreement with exhibits.
20. Consider releasing the Public Access Easement that was granted along NW Bell Avenue and North Railroad Street within the Lawton Town Center project area. Exhibits: Copy of the Public Access Easement and Copy of the record plat.
21. Consider approving a resolution adopting the 2035 Long Range Transportation Plan. Exhibits: **Resolution No. 13-14** and 2035 Long Range Transportation Plan.
22. Consider approving Change Order #1 assessing liquidated damages & adding contract days, accepting the NW 38th Street Reconstruction (Gore to Cache) Project #2006-7 as substantially completed by Sherwood Construction Company, Inc., placing the Maintenance Bond into effect, and directing Engineering Division to make Final Payment on grassing when it meets specifications. Exhibits: The Maintenance Bond and Change Order #1 are on file in the City Engineer's office.
23. Consider accepting a temporary easement and a hold harmless agreement from Pro Color, Inc for the right of way needed for the SW 2nd Street Enhancement Phase IV Project (#2011-4), authorizing the Mayor and City Clerk to execute the document. Exhibits: Temporary easement and hold harmless agreement are on file in the City Clerk's office.

24. Consider approving Amendment No. 3 to the March 14, 2011, agreement with CH2M Hill, Inc. for professional engineering design services to design the reconstruction of a clearwell inside the existing clearwell at the Medicine Park Water Treatment Plant. Exhibits: Amendment to the Agreement is on file in the City Clerk's office.
25. Consider adopting a Resolution authorizing the installation and/or removal of traffic control measures on the south side of NW Woodridge Drive east of NW 5th Place. Exhibits: **Resolution No. 13-15** Traffic Commission Minutes and Traffic Issue Requests.
26. Consider approving an agreement between the City of Lawton and the Oklahoma Department of Transportation for funding Phase I improvements for Project No. SAP-216E(008), J/P No. 29428(04), consisting of SW Lee Boulevard 0.3 miles east of 112th Street and 112th Street 0.9 miles north of Lee Boulevard to the railroad right of way, and a companion cooperative agreement between the City of Lawton and Comanche County for improvements to SW Lee Boulevard 0.3 miles east of 112th Street and 112th Street 0.9 miles north of Lee Boulevard to the railroad right of way. Exhibits: Agreement between the City of Lawton and ODOT and Agreement between the City of Lawton and Comanche County.
27. Consider extending contract (CL11-014) Precast Concrete Manholes with Primary Structure of Guthrie, OK. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
28. Consider awarding (CL13-020) Ozone Analyzers to Xylem Water Solutions of Charlotte, NC. Exhibits: Department recommendation, abstract of bids, price sheet.
29. Consider extending contract (CL12-025) Soft Body Armor (Concealable) with Special Ops Uniforms of Oklahoma City, OK. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
30. Consider extending contract (RFPCL12-015) Concession Operations, Ahlshlager Park with Lawton Evening Optimist of Lawton, OK. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
31. Consider awarding (CL13-025) Sodium Hydroxide to FSTI, Inc. of Austin, TX. Exhibits: Department recommendation, abstract of bids, price sheet.
32. Consider extending contract (RFPCL12-010) Emergency Notification System with Everbridge of Glendale, CA. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
33. Consider awarding (CL13-022) Automated Side Load Refuse Trucks to Rush Truck Center of Oklahoma City, OK. Exhibits: Department recommendation, abstract of bids, price sheet.

34. Consider approval of payroll for the period of January 21- February 3, 2013.

OLD BUSINESS ITEMS:

35. Consider approving Council Policy No. 3-2, CITY OF LAWTON GENERAL EMPLOYEE INJURY PREVENTION PROGRAM, by amending the safety incentive monetary awards for eligible employees. Establish an effective date of March 12, 2013. Exhibits: Amended City Council Policy No. 3-2, City of Lawton General Employee Injury Prevention Program.

NEW BUSINESS ITEMS:

36. Discuss and take action as necessary with respect to the potential sale of City General Obligation Bonds, Series 2013. Exhibits: Levy Impact of proposed \$3,300,000 General Obligation Bond Sale

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER .

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

37. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending EEOC complaints of Ronald Smith Sr. and Robert Puccino Jr., and if necessary, take appropriate action in open session. Exhibits: None.
38. Pursuant to Section 307(B)(3), Title 25, Oklahoma Statutes, consider convening in executive session to discuss the proposed sale of approximately 50 ½ acres, collectively or by parcel, of City-owned real property in the vicinity of NW 67th Street and Rogers Lane, as authorized by Ordinance No. 11-07, and take appropriate action in open session. Exhibits: None.
39. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss particular applicants for the position of City Manager and take appropriate action in open session as deemed necessary. Exhibits: None.
40. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review the employment of Traci L. Hushbeck as City Clerk, and in open session take other action as necessary. Exhibits: None.

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."