

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
FEBRUARY 13, 2007 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF CITIZEN OF THE MONTH TO CHARLES MIDDLETON.

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 SPECIAL MEETING OF OCTOBER 30, 2006, AND THE REGULAR MEETINGS OF NOVEMBER 14, 2006, JANUARY 9 AND JANUARY 23, 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 accepting State Aid for Libraries grant of \$52,920 from the Oklahoma Department of Libraries for FY 2006-2007. Exhibits: State Aid agreement on file in the City Clerk's office.
2. Consider the following damage claims recommended for approval and consider passage of any resolutions authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: John and Doris Hoffman in the amount of \$6,825.00, Parks Jones Realty in the amount of \$4,256.91 and Troy D. Muse in the amount of \$183.80. Exhibits: Legal Opinions/Recommendations, Resolution 07- ____, Resolution 07- ____.
3. Consider the following damage claims recommended for denial, Elsie Mae Strange in the amount of \$13,165.18 and Angelita Knight in the amount of \$15.00. Exhibits: Legal Opinions/Recommendations.
4. 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 Carlton Clark in the Workers' Compensation Court, Case No. 2006-09560 Y. Exhibits: Resolution No. 2007- ____.
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 Ansara Young in the Workers' Compensation Court, Case No. 2006-09624 Y. Exhibits: Resolution 2007- ____.
6. Consider accepting a Quit Claim Deed for the property located at 617 SW 26th Street, authorize the Mayor and City Clerk to execute the Quit Claim Deed and authorize Neighborhood Services to demolish the structures thereon. Exhibits: Letter from Property Owner, Abington LLC, Sub-division Map and Quit Claim Deed.
7. Consider approving request from the Arts & Humanities Division to pursue applying for a Local Government Challenge Grant from the Oklahoma Arts Council for FY 2007-08. Exhibits: None.

8. Consider accepting donation of funds donated by Wal-Mart West, 6301 NW Quannah Road for Lawton Police Department Gang Unit. Exhibits: None.
9. Consider accepting donation of seven additional police jackets to be utilized by the police department's "Gang Unit". Exhibits: None.
10. Consider issuing a revocable permit for the installation of a parking lot to serve the First Free Will Baptist Church located at #10 SW 24th Street. Exhibits: Application and site plan. Revocable Permit is on file in the City Clerk's office.
11. Consider approving the construction plans and specifications for the extension of SW Brentwood Boulevard and an 8-inch waterline extension. Exhibits: Location Map.
12. Consider accepting the sanitary sewerline constructed to serve Independence Place on East Gore Boulevard, an escrow agreement, a maintenance bond, and a utility easement and releasing the performance bond and payment bond for the sanitary sewerline. Exhibits: Location Map. Escrow Agreement, Easement and Maintenance Bond on file in City Clerk's Office.
13. Consider acknowledging receipt of a permit from the Oklahoma Department of Environmental Quality for the construction of 3,165 linear feet of eight (8) inch PVC gravity sewer line and all appurtenances to serve the Richards Family Group Property located in the SW/4 of Section 27, T-2-N, R-11-W, I.M., Comanche County, Oklahoma. Exhibits: Permits to Construct on file in the City Clerk's office.
14. Consider accepting a corrective easement from the heirs of Oleta Turner and authorizing the Mayor and City Clerk to execute the easement. Exhibits: Document is on file in the City Clerk's office.
15. Consider accepting a permanent easement from Lance and Loretta John which is needed for the Water Infrastructure Improvement Phase I (Lines) Project #2006-8, and authorizing the Mayor and City Clerk to execute the easement. Exhibits: Document is on file in the City Clerk's Office.
16. Consider ratifying the actions of the City Engineer and approving Change Order No. 1 for the Water Storage Tank Roof Repair Project #2006-14 with Luckinbill, Inc. Exhibits: None.
17. Consider adopting a Resolution authorizing the installation of traffic control measures on 6400 block of SW Atterbury Drive, Patterson Park on SW 29th Street, and SW 27th Street between Gore Blvd. and 'J' Avenue. Exhibits: Traffic Commission Minutes, Traffic Issue Requests, and Resolution No. 07-__.
18. Consider adopting Street Light Resolution No. 451 to authorize the installation of street lights at the location listed in the Resolution. Exhibits: Street Light Resolution No. 451.

19. Consider extending the contract (CL05-032) Metal Products with Albright Steel & Wire of Lawton, OK. Exhibits: Department Recommendation, Price Bid Sheet, Contract Extension Form.
20. Consider extending the contract (CL05-029) Footwear (Safety, Athletic, Walking) with Bill's Scoreboard of Lawton, OK, for the athletic shoes portion of this contract. Exhibits: Department Recommendation, Price Bid Sheet, Contract Extension Form.
21. Consider extending the contract (CL05-029) Footwear (Safety, Athletic, Walking) with Woodward's of Cyril, OK, for the safety shoes portion of this contract. Exhibits: Department Recommendation, Price Bid Sheet, Contract Extension Form.
22. Consider rejecting bids for (CL07-019) Side-load Refuse Collection Body and authorizing Solid Waste Collection to proceed with the purchase of this equipment through the city of Norman contract as outlined in the recently amended ordinance Section 10-1-102; 105; 107; 108. Exhibits: Abstract of bids and department recommendation.
23. Consider awarding (CL07-024) Ballistic Vests & Covers to Special OPS Uniforms, Inc. of Oklahoma City, OK. Exhibits: Department recommendation, abstract of bids.
24. Consider extending the contract (CL06-036) Thermoplastic Material with Swarco Industries, Inc. of Columbia, TN. Exhibits: Department Recommendation, Price Bid Sheet, Contract Extension Form.
25. Consider approval of payroll for the periods of January 15 - February 11, 2007.

OLD BUSINESS ITEMS:

26. Consider the following damage claim recommended for denial that was tabled at January 23, 2007 Council meeting, Glenn & Maria Girone in the amount of \$2,900.00. Exhibits: Legal Opinion/Recommendation.
27. Discuss criteria for providing water to residents inside the City limits. Exhibits: City Attorney Memo of January 29, 2007.

NEW BUSINESS ITEMS:

28. Hold a public hearing and consider Ordinance No. 07-___ creating Division 18-11-2, Article 18-11, Chapter 18, Lawton City Code, 2005, creating the Transition District (TR) zoning classification and the regulations for the Transition District providing for severability, codification and declaring an emergency. Exhibits: Proposed Ordinance No. 07-___.
29. Consider authorizing an exchange of land between the City of Lawton and Mark Skinner and provide direction to staff. Exhibits: Maps and Request letter from Mark Skinner.
30. Discuss possible options for funding additional public safety employees during the 2007-2008 Municipal Budget Year and take appropriate action as deemed necessary. Exhibits: Spreadsheet prepared by Council Member Keith Jackson, Spreadsheets prepared by Council Member Randy Warren.

31. Consider the collection of a Mortgage between the City of Lawton (Lender) and a participant of the CDBG Rehabilitation program (Mildred Mathieu) and authorize the Mayor and City Clerk to execute the necessary documents. Exhibits: Copies of the Mortgage and release of mortgage are available in the City Clerk's office.
32. Consider an appeal for a variance of the denial of a building permit for an addition to an existing residential structure in a special flood hazard area located at 803 NW 41st Street. Exhibits: Letter of Denial by the License and Permit Center, Letter from Thomas Chapman, Floodplain Map, Site Plan, Memorandum from Civil Engineer and Order.
33. Consider adopting an ordinance amending 5-1-101, 5-1-103, 5-1-106, 5-1-107, 5-1-112, 5-1-113, 5-1-114, 5-1-117, 5-1-118, 5-1-120, Article 5-1, Chapter 5; Sections 5-2-201, 5-2-202, 5-2-203, 5-2-204, 5-2-205, 5-2-206, Article 5-2, Chapter 5; Section 5-3-302, Article 5-3, Chapter 5; Section 5-4-401, Article 5-4, Chapter 5; Sections 5-5-501, 5-5-502, 5-5-503, 5-5-508, 5-5-510, Article 5-5, Chapter 5; and adding Sections 5-1-105, 5-1-109, 5-1-123, Article 5-1, Chapter 5, and Section 5-5-512, Article 5-5, Chapter 5, Lawton City Code, 2005, by requiring a special license for unaltered dogs or cats; excepting certain animals from sterilization; requiring a permit to breed, advertise for sale or give away, or transfer ownership of dogs and cats; identifying circumstances constituting animal related nuisances; prohibiting menacing behavior by dogs; limiting the authority to euthanize abandoned animals to law enforcement/animal control officers as specified by state law; authorizing the deposit of twenty-five percent (25%) of all revenues from animal-related citations into an existing account used exclusively for animal welfare facilities, administration and enforcement, and programs; and imposing a minimum fine of five hundred dollars (\$500.00) for violations of specified animal-related ordinances, providing for severability and codification. Exhibits: Ordinance 2007-____.
34. Consider approving a resolution amending appendix A, schedule of fees and charges, Lawton City Code, 2005, as amended, by incorporating the purchase and payment of a fee for a breeding/advertising/transfer permit to breed and transfer ownership of any dog or cat; decreasing the fee for the second impoundment of an altered dog or cat; increasing the fee for the first and second impoundment of an unaltered dog or cat; increasing the impoundment fee for livestock and other large animals; increasing daily boarding fees; increasing the fee for licensing an unaltered dog or cat; requiring a fee for the renewal of the city license only for an unaltered dog or cat; and establishing an effective date. Exhibits: Resolution 2007-____.
35. Consider an ordinance amending Section 20-1-101, Article 20-1, Chapter 20, Lawton City Code, 2005, relating to the use of public easements, waive the reading of the ordinance, read the title only, and declare an emergency. If approved, approve an amendment to Council Policy 5-3, regulating the use and access to public easements and rights-of-way. Exhibits: Amendment to Section 20-1-101 and Amendment to Council Policy 5-3.
36. Consider an ordinance amending Section 18-4-1-404.2, Division 18-4-1, Article 18-4, Chapter 18, Lawton City Code, 2005, related to public easements and alleys, waive the reading of the title only, and declaring an emergency. Exhibits: Ordinance 2007-____.

37. Consider an ordinance amending, Section 19-2-218, 227, Article 19-2, Chapter 19, Lawton City Code, 2005, by requiring boat safety certification and establishing an operator to be a minimum age of sixteen (16) years of age, providing for severability, and declaring an emergency. Exhibits: Ordinance 2007-____.
38. Consider adopting an ordinance pertaining to utilities amending Section 22-2-1-217, Division 22-2-1, Article 22-2, Chapter 22, Lawton City Code, 2005, by requiring city provided backflow preventer valves, hydrant gate valves, and support stands on all city hydrant meters; requiring monthly rental fees on this city provided equipment, imposing a penalty for violations of City Code regarding use of city hydrant meters, providing for assessment of charges for non-return of or damage to city hydrant meters, backflow preventer valves, hydrant gate valves, support stands or city fire hydrants, providing for severability, declaring an emergency, and establishing an effective date of February 14, 2007, and consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, as amended, to adopt a monthly rental rate for city hydrant meters (includes backflow preventer valve, hydrant gate valve, and support stand), and also providing for assessment of charges for non-return or damage of the above equipment, or damage to the city's fire hydrant, declaring an emergency and establishing an effective date of February 14, 2007. Consider adopting an ordinance amending Section 22-2-1-217, Division 22-2-1, Article 22-2, Exhibits: DEQ Inspection Report dated 1/10/07, DEQ Inspection Report dated 1/29/07, Ordinance No. 07-____; Resolution No. 06-____.
39. Consider approving a credit adjustment in the amount of \$616.88 to Tomissa Miller's utility account #0402248082 for the property at 4627 NW Santa Fe Avenue for an undetected, underground leak on the customer's water service line. Exhibits: Billing statement from Hodges Plumbing dated 10/23/2006.
40. Consider authorizing a payment arrangement in the amount of \$10.00 monthly for Ms. Leah Kephart who resides outside city limits at SE RR 2 Box 134 (3801 SE 60th Street) for her January 18, 2007, utility bill for \$6,644.88 for 1,711,000 gallons of water used due to an underground, undetectable leak on her service line. Exhibits: Billing statement for repair from Kephart Mechanical, Inc., dated 01/29/2007.
41. Consider approving Lawton Economic Development Authority's recommendation to enter into a Revolving Line of Credit not to exceed \$9,500,000 with BancFirst, Arvest, and IBC Bank (BancFirst is lead bank), to provide initial financing of redevelopment activities for both the Phase IA – Project and TIF related projects and take appropriate action as necessary. Exhibits: List of Proposals received.
42. Consider accepting Resolution 07-____ supporting the submittal of a preliminary Opportunity Funding Grant Application to the Oklahoma Department of Commerce for the purpose of seeking state financial assistance with anticipated capital improvement projects that support Fort Sill (BRAC) activities. Exhibits: Resolution No 07-____, City of Lawton 2030 Planning, Regional Economic Modeling Simulation for BRAC and

Associated Growth at Fort Sill 2006-2015, Draft copy of Application. Senate Bill 759 on file in the City Clerk's Office.

43. Consider Approving an Emergency Management Services Agreement between the Board of County Commissioners, Comanche County and the City of Lawton, establishing the functions, location, terms, costs and expenses, operational budget, and responsibilities of the combined City/County Emergency Management Program and authorize the Mayor and City Clerk to execute the necessary documents. Exhibits: Emergency Management Services Agreement, FY 06-07 City of Lawton Emergency Operation Center Budget, FY 06-07 City of Lawton Emergency Operation Center Summary of Expenditures and FY 06-07 Comanche County Emergency Management Projected Budget.
44. Consider receiving a report on the City's financial condition for the 2nd Quarter of fiscal year 2006-2007, and provide direction to staff. Exhibits: None.

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 pending Tort Claim of Paul A. Lopez, DC-2006-094, against the City of Lawton, and if necessary, take appropriate action in open session. Exhibits: None.
46. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2007-2008 between the Police Union, IUPA, Local 24, and the City of Lawton, and take appropriate action in open session. 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."