



City of Lawton

City Council

Agenda

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

Tuesday, February 13, 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:

True North Award

Certificate of Appreciation to Arvest Bank

Mayoral Citation to Verna Howard

Recognition to Chief James Smith, Lawton Police Department

PROCLAMATION:

February Citizen of the Month

MAYOR/STAFF PRESENTATION ON "EVEN MORE IN '24"

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. The Mayor and Council will receive comments from audience members. Council may recommend to the individual or group as to what action they should take, i.e., refer the situation to a particular department or person at the city offices. Each speaker will have a 3-minute time limit, each topic will have a 9-minute time limit, and Audience Participation will be limited to 30-minutes in total.

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 denial: Jennifer Fasolino in the amount of \$75.00, and Freddy L. Ivery in the amount of \$928.55. [24-1196](#)

Attachments: [DC-2023-058, Fasolino, Jennifer-Memorandum](#)
[DC-2023-057, Ivery, Freddy L.-Memorandum](#)
2. Consider adopting a resolution approving the joint petition settlement in the amount of \$23,328.00 and making payment in the workers' compensation claim of Robert Kizarr. [24-1256](#)

Attachments: [Kizarr, Robert - Resolution](#)
3. Consider approving a First Amendment to the Settlement Agreement and Mutual Release between the City of Lawton and Alfred Espinoza d/b/a A.E. Construction Co. and authorizing the Mayor and City Clerk to execute the Amendment. [24-1221](#)

Attachments: [First Amendment with Exhibits](#)
4. Consider extending contract (CL23-009) Liquid Ammonium Sulfate with Brenntag Southwest, Inc. First renewal of contract awarded in 2023. [24-1211](#)

Attachments: [Dept. Recommendation](#)
[Brenntag Extension Form](#)
5. Consider and take action approving Amendment No. 1 to the Industrial Water Main Phase I Project PU2306 contract with Garver, LLC, for Phase II-a design to include a 12" water loop from the industrial site up 112th Steet and east along Lee Blvd to Goodyear Blvd. and design a lift station and force main to connect the West Industrial Site to the City's sanitary sewer system for the development of Westwin Element's refinery in the not to exceed amount of \$677,150.00. [24-1222](#)

Attachments: [Amendment No. 1](#)
[Exhibit B-2 - Scope of Services](#)
[Exhibit B-3 - Fee Schedule](#)
6. Consider approving an agreement for professional services between the City of Lawton and Doerner, Saunders, Daniel & Anderson, LLP for their expertise with immigration law relating to employment visas for select City of Lawton employees and authorize the Mayor and City Clerk to execute the Agreement. [24-1224](#)

Attachments: [Proposed Agreement with Doerner, Saunders, Daniel & Anderson LLP.](#)

7. Consider awarding a professional services contract to CEC Corporation for the purpose of providing full engineering services for the City of Lawton and authorize the Mayor and City Clerk to execute the contract. [24-1229](#)
8. Consider approving professional services contract in the amount of \$48,700.00 with C.H. Guernsey & Company for the initial services schematic design report phase of the Project PR2308 Elmer Thomas Park Amphitheater and Lake Helen Boardwalk. [24-1230](#)
9. Consider and take action in approving Amendment Number 5 to the Master Services Agreement with Jacobs Engineering Group, INC, in the amount of \$150,000.00 for professional engineering services to perform the preliminary designs design report for the rehabilitation of Gondola Lake Dam that is required for completion of funding documents and full design of the rehabilitation. [24-1233](#)
- Attachments:** [Amendment 5 Cover Jacobs Signed](#)
[Exhibit B-2 - Scope of Services](#)
[Exhibit B-3 - Fee Schedule](#)
10. Consider extending contract (CL23-012) Litter & Debris Abatement with T&M Solutions, LLC of Duncan, OK. [24-1245](#)
11. Consider approving a 3 Year Renewal Agreement with Environmental Systems Research Institute (ESRI), which is required for continued use of our current GIS software. [24-1226](#)
- Attachments:** [ESRI RENEWALQUOTE](#)
12. Consider adopting a resolution approving certain new and revised pages in the form of a book entitled Volumes I and II to the City of Lawton Municipal Code, 2015, printed and designated as the 2015-2016 Biennial Supplement, knows as Supplements No. 1 and 2 to the Lawton City Code, 2015, and authorizing distribution. [23-976](#)
- Attachments:** [Resolution Approving](#)
13. Consider approving a resolution directing the City Clerk to notify the public of the publication of the 2015-2016 Biennial Supplement, known as Supplements No. 1 and 2 to the Lawton City Code, 2015 and further directing the City Clerk to file certified copies of this resolution and copies of Supplements No. 1 and 2 to the Lawton City Code, 2015 with designated governmental entities as required. [24-1212](#)
- Attachments:** [Resolution Directing](#)

14. Consider approving a Resolution that amends Appendix A. Schedule of Fees and Charges, Lawton City Code, 2015, pertaining to Chapter 6, Building Construction and Housing, by Amending Article A-6-1, Building Code, Article A-6-2, Plumbing Code and Regulations, Article A-6-3, Electrical Code and Article A-6-4, Mechanical Code and Regulations. [24-1228](#)
- Attachments:** [Resolution No. 24-](#)
[Oklahoma State Statute 59 Section 1000.25](#)
15. Consider approving a resolution allowing the external use of the City of Lawton bison logo for the purposes of the Live2Lead event scheduled February 14, 2024. [24-1266](#)
- Attachments:** [City Logo Resolution for Live2Lead](#)
16. Consider approving the application and issuing a Revocable Communications Cable Permit to Chickasaw Telecommunications Services Inc. to install approximately 1,419 feet (86 rods) of fiber optic cable within the right of way to serve 1420 SW Lee Blvd. [24-1248](#)
- Attachments:** [REVOCABLE COMMUNICATION CABLE PERMIT](#)
[APPLICATION FOR REVOCABLE COMMUNICATION CABLE](#)
[PERMIT](#)
[Plans](#)
17. Consider approving the application and issuing a Revocable Communications Cable Permit to Chickasaw Telecommunications Services Inc. to install approximately 1,353 feet (82 rods) of fiber optic cable within the right of way to serve 511 SW A Ave. [24-1249](#)
- Attachments:** [REVOCABLE COMMUNICATION CABLE PERMIT](#)
[APPLICATION FOR REVOCABLE COMMUNICATION CABLE](#)
[PERMIT](#)
[Plans](#)
18. Consider approving Council Policy 0-03, “STEM Strategic Plan”, including any floor amendments, and take action as deemed necessary. [24-1200](#)
- Attachments:** Council Policy 0-3 STEM Strategic Plan and Exhibit A
19. Consider approving a Basic Term Sheet for the Fisher59 Project located within the Airport Industrial Park and authorize staff to proceed with drafting and reviewing a Redevelopment Agreement in accordance therewith. [24-1237](#)
- Attachments:** [Fisher59 Basic Term Sheet 11724](#)
[Fisher59 Project Sketch](#)
20. Consider approving appointments to boards and commissions. [24-1277](#)
- Attachments:** [Board Appointments- 02.13.24](#)
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BUSINESS ITEMS:

21. Consider approving a funding agreement in the amount of \$9,600,000.00 between the Oklahoma Development Finance Authority, City of Lawton, and FISTA relating to the Oklahoma Development Finance Authority Community Economic Development Pooled Finance Act Oklahoma Business Expansion Incentive Program for City of Lawton and FISTA Infrastructure P3 Project and take action as deemed necessary. [24-1268](#)

Attachments: [P3 Funding Agreement Signed by FISTA 02062024](#)

22. Receive a report from Trane HVAC Services and direct staff as deemed necessary. [24-1270](#)

23. Consider approving proposed revisions to Council Policy 9-03 titled Vacancy Selection Process for Lakes Recreational Areas by broadening the policy's focus to include renaming the policy, and incorporating language that reflects the Council's commitment to fostering self-sufficiency within the lake's recreational areas. [24-1193](#)

Attachments: [COUNCIL POLICY 9-03 Strikethrough Version Working Copy](#)
[COUNCIL POLICY 9-03 Revised Feb 13-2024](#)

24. Consider approving an ordinance pertaining to Utilities renaming Sections 22-1-1-104 and 22-1-1-105, Division 22-1-1, Article 22-1; amending Sections 22-1-1-104 and 22-1-1-105, Division 22-1-1; Section 22-1-2-115, Division 22-1-2; and Section 22-1-4-144, Division 22-1-4, all of Article 22-1, Chapter 22, Lawton City Code, 2015 by clarifying that landfill charges accounts are allowed and will have the same rules and regulations as utility bills and further clarifies that residential landfill customers have the option to apply landfill fees to their utility account; allowing for floor amendments, providing for severability; and by a separate vote declare an emergency. [24-1235](#)

Attachments: [DRAFT Ordinance 24-_____ revised - Legal edits](#)

25. Consider approving a resolution amending Appendix A, Chapter A-22, Article A-22-1, Schedule Fees and Charges, Lawton City Code, 2015, by adding a late fee for past due landfill bills, charge account deposits, dishonored checks and stating that unpaid landfill bills may be turned over to a collection service; and authorizing the Mayor and City Clerk to execute the resolution. [24-1238](#)

Attachments: [Landfill Charge Account Fees - Resolution 24-_____](#)

26. Consider granting a revocable permit to D.R. Horton, allowing the construction of an 8'X8' sign in the public right of way located at the southwest corner of SW Rolling Hills Drive and SW 38th St. [24-1253](#)

Attachments: [REVOCABLE PERMIT D R HORTON 38TH AND ROLLING HILLS DRIVE](#)
[Site Plan - SW Rolling Hills Drive & SW 38th placement](#)
[Sign Example](#)

27. Consider granting a revocable permit to D.R. Horton, allowing the construction of an 8'X8' sign in the public easement located at the southwest corner of SW Lee Blvd and SW 38th St. [24-1254](#)

Attachments: [REVOCABLE PERMIT D R HORTON 38TH AND LEE](#)
[Site Plan - SW Lee Blvd & SW 38th placement](#)
[Sign Example](#)

28. Receive a report from Lawton Police Department regarding the escalating issue of copper thefts within the City of Lawton, discuss possible solutions to the problem, and take action as deemed necessary. [24-1260](#)

Attachments: [Theft of Copper for 2023](#)

29. Consider adopting a program to place signs regarding panhandling in areas where such signage is allowable by City Code, discuss a funding source for a panhandling sign program, discuss changing City Code to allow for panhandling signs to be placed at intersections, and take action as deemed necessary. [24-1264](#)

Attachments: [Sample Signs](#)
[18_9_1_906_Prohibited_signs](#)

UNFINISHED BUSINESS:

30. Consider adopting resolutions declaring the structures located at 1303 NW Laird Avenue and 1762 SW 13th Street, 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. [23-1124](#)

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

31. Consider approving an ordinance pertaining to Animals, amending Section 5-1-121, Article 5-1, Chapter 5, Lawton City Code 2015, by retitling the Section, specifying terms of relinquishment, providing for severability and establishing an effective date. [24-1247](#)

Attachments: [Ord No. 24-_____](#)

32. Consider approving a resolution amending Appendix A, Chapter A-5, Article A-5-1, Schedule of Fees and Charges, Lawton City Code, 2015 by increasing fees for resident and non-resident release of animals to the Animal Shelter, and authorizing the Mayor and City Clerk to execute the resolution. [24-1246](#)

Attachments: [RESOLUTION NO - relinquishment fees](#)

33. Receive a report from staff regarding neighborhood watch programs and take action as deemed necessary. [24-1261](#)

STAFF REPORTS:

34. 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](#)

[Progress Report - 2024.02.09.pdf](#)

35. Provide City Council with a presentation on the preliminary report from C.H. Guernsey on Project PR2402-Museum of the Great Plains Infiltration and Mitigation. [24-1244](#)

36. Receive a report from Neighborhood Services, in regards to “Doing More in 24” with dangerous and dilapidated properties and direct staff as necessary. [24-1231](#)

Attachments: Even More D&D in 24

37. Receive report from staff regarding criminal trespass activities at vacant properties and possible measures to mitigate the issue and take action as deemed necessary. [24-1263](#)

EXECUTIVE SESSION ITEMS:

38. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending tort claim of Mark Long, and if necessary, take appropriate action in open session. [24-1239](#)

39. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending action in the Comanche County District Court titled Christopher Hartley vs. City of Lawton, et al, Case number CJ-2023-572, and if necessary, take appropriate action in open session. [24-1240](#)

40. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending litigation of Rashawn Wilson, specifically, the pending litigation in Rashawn Wilson, as a (party of one) and, on behalf of individuals who are similarly situated, v. The City of Lawton et al, CIV-23-1165-R, and, if necessary, take appropriate action in open session. [24-1243](#)
41. Pursuant to section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss particular candidates who have submitted applications for the position of city attorney, and, if necessary, take appropriate action in open session. [24-1269](#)
42. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review the employment of John Ratliff as City Manager, and in open session take other action as necessary. [23-1099](#)

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."