MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
FEBRUARY 14, 2023 – 2:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Stan Booker, Mayor

Also Present:
Michael Cleghorn, City Manager
John Ratliff, City Attorney
Traci Hushbeck, City Clerk
COL James H.B. Peay, IV, Fort Sill Liaison

Mayor Booker called the meeting to order at 2:00 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Pastor Tony Christie, First Baptist Church of Lawton, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT:	Mary Ann Hankins, Ward One Kelly Harris, Ward Two George Gill, Ward Four Allan Hampton, Ward Five Sean Fortenbaugh,Ward Six Onreka Johnson, Ward Seven (arrived @ 2:11 p.m., left meeting at 4:38 p.m.) Randy Warren, Ward Eight
ABSENT:	Linda Chapman, Ward Three

PRESENTATIONS:

Receive a presentation from the Comanche County Homeless Task Force and The Continuum of Care Director, Bernita Taylor, on the Homeless Point in Time Count

REPORTS: MAYOR/CITY COUNCIL:

Warren reported the sidewalk was almost complete on 53rd Street.

Hampton reported there is a calendar of events for the Farmers Market.

Harris recognized the manager at EZ Go for acting and saving a citizens life.

Hankins encouraged her constituents to call her with issues.

AUDIENCE PARTICIPATION: None

CONSENT AGENDA:

Mayor Booker stated item #8 will be moved to the February 28th agenda. He stated items #12, #13 and the Edwards claim on item #2 and will be considered separately. He stated items #23, #25 and #29 will be stricken.

MOVED by Warren SECOND by Hampton to approve the consent agenda with the exception of item #2 (Edwards claim), #12 and #13. AYE: Hankins, Harris, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

1. Consider approval of the minutes of the Lawton City Council regular meetings of January 10 and January 24, 2023.

2. Consider the following damage claims recommended for denial: Jackie and Michael Archer in the amount of $14,131.45 and Sharon Edwards in the amount of $45.99.

Ratliff presented information on the claim. He stated staff is recommending denial of the claim.

Sharon Edwards, 5104 NE Meadowbrook Drive, presented facts alleging negligence by the City of Lawton employee.

MOVED by Harris SECOND by Warren to deny the claim. AYE: Hankins, Harris, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

3. Consider approving an amendment to Council Policy 4-3, Municipal Securities Disclosure Policy, by changing the supervising office of the Municipal Securities Disclosure Coordinator from Finance to Legal and by amending Appendix C to reflect bonds issued from 2018 to 2022.

4. Consider approving a "Consent and Approval of Endorsement and Payment of Settlement Check" agreement between the City of Lawton and Rupert & Steiner, PLLC f/k/a Rupert Steiner & Morgan, PLLC; and authorize the execution of the proposed agreement.

5. Consider approving a Resolution amending Resolution 22-97 reducing the anticipated revenues by $370,147 and establishing a revised annual funding allocation for Hotel/Motel Tax collections received by the City of Lawton.

6. Consider accepting the Adult Online High School Grant of $20,070.00 from the Oklahoma Department of Libraries for the purpose of facilitating adults to complete their high school diplomas and authorizing the Mayor to sign the contract.

7. Consider approving a Sale of Water Outside City Limits Contract with Philip and Kirsten Greene for property located, approximately 1,200 feet outside of Lawton City Limits, on the north side of NE Cache Road and west of NE 60th Street, addressed as 5764 NE Cache Road, and authorize the Mayor and City Clerk to execute the Contract.

8. Consider adopting Resolutions authorizing the installation and/or removal of traffic control measures at: SW Sheridan Road & Lee Boulevard, NW 35th Street & Arlington Avenue, and NW 47th Street & Meadow Brook Drive. **Moved to the 2/28 council meeting**.

9. Consider approving the Contribution-In-Aid-Of-Construction (CIAC) Agreements with AEP/PSO and adopting Street Light Resolution No. 503 to authorize installation/removal of street lights at the locations listed in the Resolution.

10. Consider authorizing the Mayor and City Clerk to enter into a Professional Services Agreement with Jacobs Engineering Group, Inc. to provide Project Management Services for Public Utilities Construction Projects.

11. Consider authorizing the Mayor and City Clerk to enter into a Professional Services Agreement with Earnest W. Hartshorn DBA Clearwater Consulting Group, LLC to provide Third Party Project Quality Assurance/Quality Control (QA/QC) Inspection services for Public Utilities Construction Projects.

12. Consider approving plans and specifications for the Project EN2108P1 McMahon Auditorium Addition and Renovation Phase 1, and authorizing staff to advertise for bids.

Scott Vaughan, Project Manager, presented background on the project. He stated they are requesting the council move forward and allow them to solicit bids.

JD Clark, principal architect, Guernsey Architects, presented an overview of the project. (Presentation is on file in the City Clerk's office). He stated the construction cost is just under $6 million, and with the bonding, fee and owners contingency, they are at $6.7 million.

Mayor Booker questioned the number in the CIP.

Cleghorn stated the initial amount was $4.5 million.

Mayor Booker questioned if this took care of the immediate challenges plus the renovation.

Max Sasseen, Chairman of the McMahon Auditorium Authority, stated this represents a lot of hours by Guernsey and CDBL and they have really flushed this out to be accurate.

Mayor Booker stated he wanted to make sure the challenges are dealt with.

Mr. Sasseen stated they really feel good about these floor plans.

MOVED by Warren SECOND by Fortenbaugh to approve plans and specifications for the Project EN2108P1 McMahon Auditorium Addition and Renovation Phase 1, and authorize staff to advertise for bids. AYE: Hankins, Harris, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

13. Consider approving Final Amendment and accepting the Larrance Street Drainage Improvements (SW B Ave. to SW D Ave.) Project No. EN1406A as constructed by MTZ Construction, Inc. and placing the Maintenance Bond into effect.

Shivani Rani, Civil Engineer, presented information on the agenda item. She stated MTZ has taken care of all the issues and she is requesting council approve the final amendment, which is for $13,645.92 and accept the project so that staff can place the maintenance bond into effect.

Johnson questioned if this was the project approved prior to recoup funds from the architect because it was a flaw in design.

Cleghorn stated there was a discussion with the Engineering Director about working this out with the designer and the construction company.

Rani stated they had flooding issues with the Larrance Street project so they worked with Dewberry and they did the complete design and this was part of the negotiations and Joe Painter, Engineering Director has more information. The construction has been paid by the City, but the design was taken care of by Dewberry.

Hampton stated he remembers that we were going to mitigate the damages earlier and then we were supposed to collect money from the engineers.

Cleghorn stated he thinks that council authorized the engineer to work with design company to work out those issues related to design and to the omissions related to work done on Larrance.

Hampton stated he wanted to make sure this does not fall through the cracks if we were supposed to recoup the money from the engineering company because of the flaws that were there. He requested a report on this issue.

Cleghorn stated Mr. Painter can report when he returns.

Mayor Booker questioned what category this was paid out of the CIP.

Rani stated they were able to find some funds out of the 2016 CIP.

Mayor Booker stated he would like to get more details on that.

Harris stated they have done a lot of work in that area and they have dug a better drainage ditch and put a drain in the middle of B Avenue. The flooding should be resolved.

Fortenbaugh stated he would like an assurance from Mr. Painter that we don't solve one flooding issue and create another one two blocks away.

MOVED by Johnson SECOND by Fortenbaugh to approve the Final Amendment and accepting the Larrance Street Drainage Improvements (SW B Ave. to SW D Ave.) Project No. EN1406A as constructed by MTZ Construction, Inc. and placing the Maintenance Bond into effect.

AYE: Hankins, Harris, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

14. Consider awarding contract (CL23-011) for Cationic Polymer to Polydyne, Inc

15. Consider awarding contract (CL23-010) Sodium Hydroxide bid Items 1a and 1b to Petra Chemical Company, LLC.

16. Consider awarding contract (CL23-009) Liquid Ammonia Sulfate used in the treatment of water at the Water Treatment Plants to Brenntag Southwest, Inc.

17. Consider awarding contract (CL23-008) Fluorosilicic Acid to Univar Solutions USA Inc.

18. Consider approving appointments to boards and commissions.

Citizen's Advisory Committee on CIP
Judy Odom- Ward 3 Reappointment
437 NW Chimney Creek Drive
Lawton, OK 73505
03/25/2026

Traffic Commission
David Wood- Mayoral Appointment
711 NW Euclid Avenue
Lawton, OK 73507
02/14/2026

Parks and Rec Commission
David Tyler- Mayoral Appointment
501 SW 77th Street
Lawton, OK 73505
UT 01/01/2024

Mayor's Commission on the Status of Women
Teresa Abram- Mayoral Reappointment
6802 SW Majestic Oak Blvd
Lawton, OK 73505
2/14/2025

Lawton Historical Preservation Commission
Deborah Jones- Mayoral Reappointment
2920 NW Templeton Terrace
Lawton, OK 73505
01/27/2025

John Jones- Mayoral Reappointment
4301 NW Cache Road
Lawton, OK 73507
01/27/2025

Lawton Historical Preservation Commission Cont…
Steve Coleman- Mayoral Reappointment
612 SW D Avenue
Lawton, OK 73501
03/09/2025

Lawton Youth Sports Trust Authority
Randy Warren- Mayoral Reappointment
6513 NW Columbia Avenue
Lawton, OK 73505
02/22/2026

Race Relations Commission
Benjamin Llamos- Mayoral Reappointment
40 NW 36th Street
Lawton, OK 73501
02/23/2026

Youth and Family Affairs Committee
Rick Lowe- Mayoral Reappointment
1311 NW Ash Avenue
Lawton, OK 73507
2/23/2026

Brenda Myers- Mayoral Reappointment
4214 SE Elmhurst Drive
Lawton, OK 73501
2/23/2026

Dianne Owens- Mayoral Reappointment
6709 NW Oakdale Drive
Lawton, OK 73505
2/23/2026

Board of Adjustments
Neil Springborn- CPC Reappointment
5431 NW Cottonwood Drive
Lawton, OK 73505
01/27/2026

Council Budget Committee
Mayor Stan Booker
212 SW 9th Street
Lawton, OK 73501
Council Term
Ward 4 Councilmember George Gill
3705 NE Eastlake Drive
Lawton, OK 73507
Council Term

Ward 5 Councilmember Allan Hampton
1202 NW Bell Avenue
Lawton, OK 73507
Council Term

Ward 6 Councilmember Sean Fortenbaugh
817 NW Thornbury Drive
Lawton, OK 73505
Council Term

UNFINISHED BUSINESS:

19. Consider approving a Memorandum of Understanding between the City of Lawton, the Lawton Police Department and the Office of the District Attorney for the Fifth District of Oklahoma and authorize the Mayor and City Clerk to sign and execute the Memorandum of Understanding.

Ratliff stated this item came before council a month ago and he was instructed to do some additional research about what other jurisdictions were doing in terms of splitting these forfeitures. He stated Stillwater divides those assets 50/50, Norman divides those assets 75/25 and Oklahoma County splits 75/25 as well. He is recommending a conditional approval in that they should only make it valid for one year. The second provision he feels they should add is that while this negotiation has been going on with the District Attorney, more forfeitures have come in and they should receive a 50/50 split on those forfeitures.

Chief James Smith, Lawton Police Department, stated since November there have been some seizures that the District Attorney has kept. He reluctantly agrees to go one year and they can see how this situation plays out.

MOVED by Warren SECOND by Gill to approve a Memorandum of Understanding between the City of Lawton, the Lawton Police Department and the Office of the District Attorney for the Fifth District of Oklahoma for one year and that any previously held funds during this negotiation be split 50/50.

Harris stated he has problems with paragraph 6 dealing with liability. If the defendant is awarded the forfeiture back, we have to pay all of it and the DA does not pay anything. He feels a 75/25 split would be better if we have to accept that liability.

VOTE ON THE MOTION: AYE: Hankins, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: Harris. MOTION CARRIED.

20. Consider withdrawing the January 12th, 2021 approval of the concept of Lawton Community Theater maintaining the National Guard Armory as their future home.

Ratliff stated on January 12th, 2021, the council approved the concept for Lawton Community Theater to maintain and possess the National Guard Armory. Now that is not going to happen and the council needs to remove the approval so that other things can be done to the armory.

MOVED by Warren SECOND by Fortenbaugh to withdraw the January 12th, 2021 approval of the concept of Lawton Community Theater maintaining the National Guard Armory as their future home. AYE: Hankins, Harris, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

21. 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.

Mayor Booker stated this was actually suppose to come back as an action item and Council Member Gill had asked for the minutes concerning the temporary light on the far east side of the overpass.

Larry Wolcott, Public Works Director, stated he has gone back and researched the issue and found minutes on the action of the traffic commission and the city council as well as the traffic impact study done by the tribe.

Mayor Booker stated he has spoken with former Mayor John Purcell who told him that was supposed to come out after highway #7 was done.

Wolcott stated the ultimate goal of the tribe was to relocate that intersection further to the east and have the casino driveway and Laurie Tatum Road shifted further about 800 feet east toward Cache Creek. They would remove that temporary traffic signal and construct a permanent one at that new intersection. He did not find any documentation that they would remove that temporary signal once they completed the traffic signal at Lee Boulevard. Regardless of those discussions, the council could take action now to analyze that existing temporary traffic signal. There is a traffic signal warrant analysis of that location included in the EST study.

Harris questioned when they will have the EST study.

Wolcott stated this fall.

He stated with the influx of homes and businesses on the east side, the traffic is creating a real problem.

Mayor Booker stated they cannot take any action on this item.

Keegan Ledford, 1410 NE Kingsbriar Drive, stated there are minutes that state when highway #7 was completed and open, they would pull those particular lights. He stated when he was on the CPC and the Apache Casino built their hotel, they were told they would have to furnish the lights. He feels there was an agreement made that when highway #7 was done these would come down and he does not understand why this must be so hard. There are synchronized lights on both sides of the highway and they are turned off. He suggested they also put a right turn into the casino off the highway.

Mayor Booker suggested they put this back on the next meeting as an action item.

MOVED by Gill SECOND by Harris to put this issue back on the agenda as an action item at the next meeting. AYE: Hankins, Harris, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

BUSINESS ITEMS:

22. Consider accepting and conditionally approving the transfer of the city owned Armed Services YMCA property, located at 900 NW Cache Road, to Lawton Public Schools in exchange for Lawton Public Schools dissolving the existing lease agreement for city hall and deeding the school-owned property, located at 212 SW 9th Street, to the City of Lawton.

Dewayne Burk, Deputy City Manager, stated this is a conditional acceptance and transfer of properties of city hall and the armed services YMCA. This will still have to be approved by the governing body of Lawton Public Schools.

MOVED by Warren SECOND by Hankins to accept and conditionally approve the transfer of the city owned Armed Services YMCA property to Lawton Public Schools in exchange for Lawton Public Schools dissolving the existing lease agreement for city hall and deeding the school-owned property. AYE: Hankins, Harris, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

23. Receive a presentation updating status of "Alternate Water Supply Project" from staff and Consultant Engineer Garver Engineering and providing any direct that Council deems appropriate. **STRICKEN**

24. Consider receiving an update from Halff Associates on the ongoing projects with the City of Lawton Parks and Recreation Department.

James Hazzard, Halff Associates, presented information on the status of the various master plans.

25. Receive a presentation on benchmarking measures compiled by Hatch, Croke & Associates, P.C. **STRICKEN**

26. Receive a presentation from the Arts and Humanities Administrator and the Chairman of the McMahon Auditorium Authority regarding the transfer of the Carnegie Library and the Armory to the McMahon Auditorium Authority and their proposed use of the facilities and take any action the City Council deems appropriate.

Max Sasseen, Chairman of the McMahon Auditorium Authority, presented information on the work of the authority, the history of the properties and the proposal to add the two properties to their trust indenture so they can take care of the properties.

Mayor Booker questioned if they had a plan.

He stated the initial plan is to have the property safe, sound and sanitary and stop the down direction. He stated they need to change the direction these buildings are headed. He requested that they receive $100,000 in the next fiscal year for Carnegie Library and they would immediately try to find matching grant funds for another $100,000. He requested $250,000 for the armory. He stated they have spoken to the company that recently refurbished the cemetery arch.

Mayor Booker clarified that they do not want the property deeded to them, but just custodial care of the two properties.

Mr. Sasseen stated they are just talking about changing the property managers and they can accomplish this with an amendment to their trust.

Mayor Booker clarified they are requesting $100,000 for Carnegie Library and $250,000 for a roof and initial repairs at the armory.

Warren stated if the City can fund a portion of this, he feels staff would do a good job of raising some more funding. They need to get started and build a plan and he feels a lot of people in the community will be interested in helping.

Ratliff questioned if this will be the maintenance in total.

Mr. Sasseen stated they are not asking the City of Lawton to take any more responsibility than they already have to maintain these buildings.

Hampton stated we have done a poor job in taking care of our historic buildings and he is excited that we are starting to take care of things. There is money is grants that are available for historic buildings.

Mr. Sasseen stated they have identified some grant funding, but many of them require matching funds.

MOVED by Hampton SECOND by Harris to transfer custodial care to the McMahon Auditorium Authority of these two buildings and to put these requested funds in the budget. AYE: Hankins, Harris, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

Council recessed at 3:42 p.m. and reconvened at 3:50 p.m.

Mayor Booker stated item #28 will be addressed next.

28. Receive an update on the progress of youth sports from Eastern Sports Management.

John Wack, President of Eastern Sports Management and Matt Elliott, General Manager for the Play Lawton Program presented information on the program. (Presentation is on file in the City Clerk's office)

Mayor Booker questioned if these price points were comparable to surrounding areas.

Mr. Wack stated the price points are consistent with their other facilities.

Mayor Booker stated he was told our fields are in very bad condition.

Mr. Wack stated field condition play a big role in the decline of programs.

Mayor Booker questioned if they have a plan to address this issue.

Mr. Wack stated no, this is an operations plan for the coming year and does not include any capital expense. They are trying to get the programming stabilized and they are ready to make more specific recommendations on actions to be taken and the cost of those actions. He stated they should have a report in three months.

Mayor Booker questioned if that can be hurried up because the budget will be approved the first of June.

Brian Henry, Chairman of the Lawton Sports Authority, stated the jump in numbers is indoor sports. They are about to start baseball and softball in two weeks and the authority is reaching out to landscape companies to see if there is any free material available or what the cost would be. The league will start before the council starts budget meetings.

Mayor Booker stated he does not see the vision anywhere and he would like to keep it in front of everyone.

Harris stated it says the estimated loss for the first year is $200,000. He questioned how long it will take to turn it around.

Mr. Wack stated he is hoping for next year.

Mr. Henry stated we just went up to $28.75 per participant, per league. The next comparable for us, is $55 per person. That is for the smallest T-ball team. The real average is $75 - $80 per kid. The revenue number would go from 104 to 365.

27. Receive a presentation and discuss the city's bulk waste program and litter abatement in general. Additionally discuss whether change is needed to make the City of Lawton a community of choice in Southwest Oklahoma and direct staff as City Council deems appropriate.

Larry Wolcott, Public Works Director, presented information on the residential, commercial, and industrial solid waste collection programs. (Information is on file in the City Clerk's office).

Mayor Booker stated when the program started he was under the impression that they set aside Wednesday as the day to pick up bulk waste. He stated from his observations, it looks like we are going into the following week. He questioned if we are running full time crews.

Wolcott stated there are three to four grapple trucks picking up bulky waste and they supplement that with the rear load commercial trucks. The basic guideline is you have three days to put it out, so that is Sunday, Monday and Tuesday, and the collections days are Wednesday, Thursday and Friday. If you don't get it set out by Wednesday afternoon, that is where they run into problems.

Mayor Booker stated it is not his impression that we are finishing this on Friday, but it is taking until Monday or Tuesday of the next week.

Wolcott stated overall they are successful in collecting that bulky waste in those zones on Wednesday, Thursday and Friday. It has run into Saturdays and Mondays in the past and they run into weather delays as well as personnel issues. Right now, they are down eight staff members.

Harris questioned why they could not start picking it up on Mondays, then if they run over, they are still within the week.

Wolcott stated residential collection is on Monday, Tuesday, Thursday and Friday, so some of those same drivers can operate grapple trucks on Wednesday.

Harris questioned if they could pick up on Monday and run residential collection on Wednesday.

Cleghorn stated he feels the solution would be to hire more people and operate a day on the weekend or they could increase personnel and equipment and pick up weekly. He stated staff has been able to keep up as best they can with the number of personnel we have. He stated they are still having difficulty getting people to apply, even after raising the wage.

Wolcott stated they are getting a lot of applicants but many are not qualified because they require a CDL.

Harris stated we have a problem with violations. He questioned if they put it out early, why do we have to wait 10 days to act on it. Can we go and clean up the mess and then attach the bill to the utility bill.

Ratliff stated state statute requires the ten-day period. He stated the city manager does have the authority to abate if it is an emergency, which does not require ten days. We also could abate without charging any money, so that is an option.

Harris questioned if it made a difference if it is on the right of way.

Ratliff stated if the city manager determines that the presence of that junk and debris constitutes an emergency, we could clean that up right away and charge them later.

Hankins stated there is a big problem with people pilfering through the piles if they put junk out early.

Gill questioned the policy on piles that are too big.

Wolcott state four cubic yards is the limit, but if it is close we are going to collect it. If it is too much they will reschedule the pickup for another time and they will charge them for that extra.

Warren stated there is an issue with the timeliness of the pickup and an issue with citizens following the rules. He stated we have educated the public about the rules, but we can't go out there and start putting charges on the water bill until we have the schedule straightened out.

Cleghorn stated cities are allowed to clean this up and charge the water account or put it against the property. Staff has educated the public and they do have a litter abatement program and a bulk collection campaign which will start in March.

Warren suggested they distribute fact sheets to real estate companies to give to new residents coming in.

Cleghorn stated they can also distribute out of the billing utility department when they set up new water accounts.

Hankins suggested this information be on a fifth-grade reading level.

Fortenbaugh stated this is a transitory town with people coming and going all the time. He requested that staff look at different ideas to make this better.

Harris suggested a Saturday crew or half day crew come out just for the emergency abatement stuff. He also liked an idea from the Mayor to place signs at the entrances to neighborhoods that list the date of the bulk pick up.

Cleghorn stated there is a little money in the educational campaign fund and they could probably print up flyers that could help remind citizens.

Mayor Booker questioned if the bulk pickup crews were separate than the poly cart pick up crews.

Wolcott stated there are drivers that drive the grappler trucks, so there is overlap.

Mayor Booker suggested they set it out on Sunday and start picking it up on Monday. He stated they also could consider using a third-party contractor instead of buying more equipment. He also questioned how other cities are accomplishing this issue. The fee for picking up your bulk trash is already calculated in your utility bill. He feels they are spending too much time worrying about getting paid and as long as that water is hooked up, we are getting paid. He stated even if the pile is too big, they are still paying their bill next month. Are they going to worry about getting paid or worry about that pile of trash.

Mayor Booker read a statement addressed to the elected officials about addressing the trash issue, our image and the pursuit of excellence. He suggested the following motion:

MOVED by Gill SECOND by Warren Direct the City Manager as follows: 1) Define the Objective and Set the Destination/Expectation. The Objective is A Clean City and Clean Culture. A community of choice for young families, and professionals. The Destination is Excellence. There can be no excuse or settle for in the pursuit of excellence. 2) The Clear direction is: Consider all areas including, but not limited to, Poly Cart service, Bag and Tie, Bulk Waste, Neighborhood Service/Code Enforcement, policy and ordinance, as well as all discussion and ideas during the council meeting. Following this template bring back your plan for moving forward for a special council meeting on March 7th. Comprehensive, Critical, Realistic evaluation of the area of effort and the tools necessary for success. Present a comprehensive plan, with timelines and performance objectives. Present the plan for a quality implementation. Continual review and reassessment. AYE: Hankins, Harris, Gill, Hampton, Fortenbaugh, Warren. NAY: None. MOTION CARRIED.

29. Consider adopting an ordinance amending Personnel Policies and Procedures Section 17-1-5-151, Division 17-1-5, Article 17-1, Chapter 17, Lawton City Code, 2015 by removing the reference to regular employees; removing the sentence referencing normal working hours for regular employees; adding normal business hours; modifying the period of lunch from one hour to either 30 minutes or 60 minutes per work day; providing for severability and establishing an effective date. **STRICKEN**

30. Consider approving an ordinance, including any floor amendments related thereto, concerning the Lake and Land Commission; amending Section 2-3-1-301, Division 2-3-1, Article 2-3, Chapter 2, Lawton City Code, 2015; by stating that one commission member residing in the city limits shall be a city council person, one commission member shall reside or own real property (either directly or principally through a business) within a two-mile radius from any point of the shoreline of Lake Lawtonka and one commission member shall reside or own real property (either directly or principally through a business) within a two-mile radius from any point of the shoreline of Lake Ellsworth; providing for severability and establishing an effective date.

Mayor Booker stated this will keep Council Member Fortenbaugh on the commission as a council representative and this will also keep someone from the Ellsworth area involved.

MOVED by Harris SECOND by Gill to adopt **Ordinance 23-06**, waive the reading of the ordinance, read the title only and establishing an effective date of thirty days after passage. AYE: Hankins, Harris, Gill, Hampton, Fortenbaugh, Warren. NAY: None. MOTION CARRIED.

(Title read by City Attorney) Ordinance 23-06

AN ORDINANCE PERTAINING TO ADMINISTRATION AMENDING SECTION 2-3-1-301, DIVISION 2-3-1, ARTICLE 2-3, CHAPTER 2, LAWTON CITY CODE, 2015; RELATING TO THE LAKE AND LAND COMMISSION BY STATING THAT ONE COMMISSION MEMBER RESIDING IN THE CITY LIMITS SHALL BE A CITY COUNCIL PERSON, ONE COMMISSION MEMBER SHALL RESIDE WITHIN A TWO-MILE RADIUS FROM ANY POINT OF THE SHORELINE OF LAKE LAWTONKA AND ONE COMMISSION MEMBER SHALL RESIDE WITHIN A TWO-MILE RADIUS FROM ANY POINT OF THE SHORELINE OF LAKE ELLSWORTH; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

31. Consider approving an Ordinance amending Section 7-27-1-2704, by adding the prohibition for hotels and short-term rentals allowing room(s) rental by the hour and creating a minimum rental time, providing for severability and establishing an effective date.

Ratliff stated there is evidence that some of the hotels and motels in Lawton are offering one hour hotel room rentals. When those kinds of things occur, you are talking about criminal activity. This is an effort to clean this up and require a minimum rental time of 10 hours.

Mayor Booker stated he feels that 10 hours is too short, but he is willing to try it and he would like Chief Smith to report back to the council if it doesn't accomplish the goal.

MOVED by Hankins SECOND by Hampton to adopt **Ordinance 23-07**, waive the reading of the ordinance, read the title only and establishing an effective date of thirty days after passage. AYE: Hankins, Harris, Gill, Hampton, Fortenbaugh, Warren. NAY: None. MOTION CARRIED.

(Title read by City Attorney) Ordinance 23-07

AN ORDINANCE AMENDING SECTION 7-27-1-2704, ARTICLE 7-27-1, DIVISION 7-27, CHAPTER 7, BUSINESS LICENSES, LAWTON CITY CODE, 2015; BY ADDING THE PROHIBITION FOR HOTELS AND SHORT-TERM RENTALS ALLOWING ROOM(S) RENTAL BY THE HOUR AND CREATING A MINIMUM RENTAL TIME, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

STAFF REPORT:

Semi Annual Finance and Sales Tax Report – Finance Director

Joe Don Dunham, Finance Director, presented the finance report for the second quarter. (Presentation is on file in the City Clerk's office)

Fortenbaugh questioned when we were going to start collecting hotel/motel tax on air bnb's

Dunham stated at the end of April. He stated once they go live, they will be going back a year and collecting taxes that have not been paid.

Harris stated he has been getting calls about the business license fee and he questioned if that was in any way related to trying to get the air bnb's registered.

Dunham stated those two are separate issues because anyone that has a business in town would be charged a business license fee. The reason is because we want to know who is operating businesses in our community and that we are collecting sales tax.

Ratliff stated most communities do require business to have a business license.

Charlotte Brown, Community Services Director, stated the general business code was approved by council in July with a six-month grace period for existing businesses before enforcement started. She stated the enforcement is starting to come into play.

Mayor Booker stated he is getting the impression that we just notified businesses that their time was up. He questioned if they notified businesses six months ago when this was passed.

Brown stated they did not, but they are working with people when they come in. They are not out writing citations.

Ratliff stated we are going to need to clarify some things for the public.

Mayor Booker stated he is inclined to call a special meeting on Friday and clear some things up, because there was an administrative fee that was never talked about. He stated we passed it at $100, but a few items later they passed a 15% increase in fees, so it goes up to $115. That just doesn't seem right. He also has concerns about the department's ability to do its job and get permits out.

Harris stated he is also concerned about the background check requirement.

The Mayor and Council convened in executive session at 5:37 p.m. and reconvened in regular, open session at 7:51 p.m. Roll call reflected all members present, including Council Member Johnson who returned during executive session.

EXECUTIVE SESSION ITEMS:

32. Pursuant to Section 307B.3, Title 25, Oklahoma Statutes, consider convening in executive session to discuss an appraisal of the School House Slough area at Lake Lawtonka, relating to the recent expiration of School House Slough Inc.'s lease with the City, and, if necessary, take appropriate action in open session.

Ratliff read the title of item #32. No action was taken.

33. Pursuant to Section 307B.3, Title 25, Oklahoma Statutes, consider convening in executive session to discuss an appraisal of the Chandler Creek property at Lake Ellsworth, and, if necessary, take appropriate action in open session.

Ratliff read the title of item #33. No action was taken.

34. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review the employment of Michael Cleghorn as City Manager, and in open session take other action as necessary.

Ratliff read the title of item #34.

MOVED by Harris SECOND by Warren pursuant to its authority as articulated in Section C-2-4, subsection 8 of the City Charter, council directs the creation of the council liaison position, council further directs that Donalynn Blazek-Scherler will be moved from her current position in the City Clerk's office to her new position of council liaison where she will perform the functions as council directs under the daily supervision of the City Attorney. AYE: Hankins, Harris, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

MOVED by Gill SECOND by Fortenbaugh to amend Michael Cleghorn's employment contract and amend paragraph 2.3A and strike the language "the fiscal year" and replace that language with "the date of the employment anniversary". AYE: Hankins, Harris, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

There being no further business to consider, the meeting adjourned at 7:55 p.m. upon motion, Second and roll call vote.

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STAN BOOKER, MAYOR

ATTEST:

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TRACI HUSHBECK, CITY CLERK