

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
FEBRUARY 23, 2010 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMING MARCH 2010 AS RED CROSS MONTH

STATE OF THE CITY ADDRESS BY MAYOR JOHN P. PURCELL, JR.

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 JANUARY 26, 2010 AND THE CITY COUNCIL REGULAR MEETING OF FEBRUARY 9, 2010.

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 resolutions authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Kristina Montgomery in the amount of \$2,269.83, Clay Carson in the amount of \$1868.84 Margaret and Milton Landmark through their attorney Edward Dzialo Jr., in the amount of \$13,500.00, and Thomas and Inez Love in the amount of \$523.30. Exhibits: Legal Opinions/Recommendations, Resolution No.____, Resolution No.____, Resolution No.____, and Resolution No.____. Page 1
2. 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 Ricky Prince in the Workers' Compensation Court, Case No. 2009-00364L. Exhibits: Resolution No. 2010-____. Page 18
3. Consider accepting the second Big Read grant of \$20,000 from the National Endowment for the Arts thru Arts Midwest to be received in two installments. Exhibits: The BigRead agreement is on file in the City Clerk's office. Page 21
4. Consider entering into a lease agreement with Pitney Bowes for a Digital Mailing system. Exhibits: Proposed lease agreement is on file in City Clerk's Office. Page 22
5. Acknowledge receipt of election returns of December 8, 2009 and February 9, 2010. Exhibits: Official Certification of Votes from Comanche County Election Board. Page 23
6. Consider a request from Great Plains Improvement Foundation (GPIF), Inc. to approve a proposed Emergency Shelter Grant (ESG) project and authorize the Mayor to sign the Certification of Local Approval for the ESG application to the Oklahoma Department of Commerce (ODOC). Exhibits: Exhibit A: GPIF Letter of Request with Form ODOC- 4, Certification of Local Approval. Page 28

7. Consider adopting a Resolution authorizing the installation of traffic control measures on NW 68th Street and NW 69th Street Loop for both directions. Exhibits: Traffic Commission Minutes, Traffic Issue Requests, and Resolution No. 10-____. Page 31
8. Consider denying the requests for traffic control measures on eastbound NW King Richard Avenue at the intersection of NW Friar Tuck Lane. Exhibits: Traffic Commission Minutes and Traffic Issue Request. Page 36
9. Consider acknowledging receipt of a Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 86 linear feet of 8-inch PVC water line and all appurtenances to serve the Western Hills Christian Church located at 1401 NW 82nd Street in the SW/4 of Section 20, T2N, R12W, I.M., Comanche County, Oklahoma. Exhibits: Permit to Construct on file in the City Clerk's Office. Page 40
10. Consider awarding (CL10-28) Aluminum Sulfate, Liquid to Chameleon Industries, Inc of Mesquite, Texas. Exhibits: department recommendation, abstract of bids. Page 41
11. Consider awarding (CL10-027) Repair Clamps, Bell Joint Clamps & Steel Couplings (Items 1-2, 7-8 & 10-12) to Water Products of Oklahoma from Owasso, Oklahoma. Exhibits: department recommendation, abstract of bids. Page 45
12. Consider extending the contract (CL09-022) Cationic Polymer to Ciba Corporation of Suffolk, Va. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 55
13. Consider extending the contract (CL09-032) Thermoplastic Material & Epoxy Primer/Sealer to The Sherwin Williams Company of Manchester, Ga. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 59
14. Consider extending the contract (CL09-046) Heavy Wrecker Service to Alford's Truck & Wrecker of Lawton, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 63
15. Consider approval of payroll for the period of February 8 – 21, 2010.

OLD BUSINESS ITEMS:

16. Consider approving an ordinance granting to Public Service Company of Oklahoma, an Oklahoma Corporation, it successors and assigns, a non-exclusive franchise for twenty-five (25) years to use the streets, alleys, avenues, ways, and other public places and grounds in the City of Lawton, Comanche County, Oklahoma, for building, equipping, maintaining, extending, owning, and operating a system for the manufacture, transmission, distribution, sale, and control of electricity and communication circuits in and to the city and the public generally. Exhibits: Ordinance No. 10-____. Page 67

17. Consider approving a resolution authorizing the calling and holding of a special election in the City of Lawton, State of Oklahoma, for the purpose of submitting to the registered qualified electors of said City the question of approval or rejection of Ordinance No. 10-_____ of the City, more particularly described as an ordinance granting to Public Service Company of Oklahoma, an Oklahoma Corporation, its successors and assigns, a non-exclusive franchise for twenty-five (25) years to use the streets, alleys, avenues, ways, and other public places and grounds in the City of Lawton, Comanche County, Oklahoma, for building, equipping, maintaining, extending, owning, and operating a system for the manufacture, transmission, distribution, sale, and control of electricity, and information distribution in and to the City and the public generally, and authorizing the Mayor and City Clerk to execute the Resolution and Special Election Proclamation and Notice. Exhibits: Resolution No. 10-_____ and Special Election Proclamation and Notice. Page 85

NEW BUSINESS ITEMS:

18. Consider adopting a Resolution authorizing the City of Lawton to enter into a Memorandum of Understanding with the Comanche County Juvenile Bureau, the Lawton Fort Sill Chamber of Commerce, the Northside Chamber of Commerce, the Lawton Housing Authority, Lawton Public Schools, Marie Detty Youth & Family Services, and other interested parties and assist in the implementation of the 'Office of Juvenile Justice & Delinquency Prevention Comprehensive Gang Intervention Model' and authorizing the Mayor to execute the Memorandum of Understanding. Exhibits: Resolution 10-_____ and Proposed Memorandum of Understanding. Page 92
19. Consider discussing delaying the relocation of the 2011 Arts for All Festival to Elmer Thomas Park at the request of the Art for All Festival Committee. Exhibits: Letter to the Festival Committee; January 5, 2010 and Letter from the Festival Committee; January 20, 2010. Page 103
20. Consider discussing a request from the Lawton Enhancement Trust Authority (LETA) to include an option on the City of Lawton utility collection bill for voluntary monetary donations to support beautification programs. Exhibits: Council Policy 1-9; Requests to City Staff by Council Members and the Mayor. Page 107
21. Consider approving the transfer of \$3,170,000 from the City's 2000 CIP Program to fund Phase IV of the CJHS Restoration Project and authorize the City Manager to issue a financial RFP for a construction/bridge loan in an amount not to exceed \$2,500,000 for the purpose of funding the balance of the Phase IV project cost. Exhibits: Letter from Wells Nelson & Associates dated January 22, 2010, MA Architecture Lawton City Offices Phase IV Packet and Legal Opinion from City Attorney dated February 17, 2010. Page 110
22. Consider approving the use of police unclaimed property fund/miscellaneous revenue to complete the initial City Administration move to the New City Hall building. Exhibits: Preliminary budget estimate for moving Administration to new office building. Page 124

23. Consider ratifying the actions of City Staff and declare an emergency to permit waiving the competitive bidding process and authorize specific funds and staff to continue with plans and purchases necessary for managing the tree and limb clean up operations from the January 28, 2010 through January 30, 2010 Ice Storm. Exhibits: None. Page 126
24. Consider approving an ordinance amending Division 17-1-6-163, Division 17-1-6, Article 17-1, Chapter 17, Lawton City Code, 2005, by amending the benefit of on-the-job injury leave (full salary) to 56 hours at the beginning of lost time until temporary total disability benefits are available and stating how employees who have been released to work with permanent disabilities and cannot perform the essential functions of the job will be paid providing for severability and establishing an effective date of April 1, 2010. Exhibits: Ordinance 2010-____. Page 128
25. Consider an ordinance amending Section 5-1-115, Article 5-1, Chapter 5, Lawton City Code, 2005, by replacing the subsection incorporating the definition of confinement found in Section 5-101 from (A)(7), to the correct subsection (A)(12), and declaring an emergency. Exhibits: Ordinance 2010-____. Page 135

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

26. Pursuant to Section 307C10, Title 25, Oklahoma Statutes, consider convening in executive session to discuss an economic development prospect to be located within the City of Lawton, and if necessary, take appropriate action in open session. Exhibits: None. Page 137
27. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2010-2011 between the Fire Union, IAFF, Local 1882, and the City of Lawton, and take appropriate action in open session. Exhibits: None. Page 138
28. 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: Employment Agreement Summary. Amendment to Agreement on file in the City Clerk's Office. Page 139

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."