MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
FEBRUARY 23, 2021 – 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

Mayor Booker called the meeting to order at 2:27 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Pastor Gordon Brooks, First Church of God, followed by the Pledge of Allegiance

ROLL CALL

PRESENT:
Mary Ann Hankins, Ward One
Keith Jackson, Ward Two
Linda Chapman, Ward Three
Allan Hampton, Ward Five
Sean Fortenbaugh, Ward Six
Onreka Johnson, Ward Seven
Randy Warren, Ward Eight

ABSENT: Jay Burk, Ward Four

PRESENTATIONS:

OKLAHOMA MUNICIPAL LEAGUE SERVICE AWARDS

Dewayne Burk, Human Resources Director, recognized those employees who have completed a minimum of 25 years of service. The employee received a certificate and pin from the Oklahoma Municipal League.

EMPLOYEE SPOTLIGHT AWARD TO KARL VELDHUIZEN, WATER DISTRIBUTION

The City Manager recognized Karl Veldhuizen, Water Distribution, for his outstanding performance.

REPORTS: MAYOR/CITY COUNCIL

Mayor Booker thanked all those employees for working so hard the past ten days in the bad weather. It was a “all hands-on deck” attitude.

Johnson reported there are numerous activities for Black History Month and she will have a calendar listed on her Facebook page.

Fortenbaugh recognized AEP/PSO and Centerpointe Energy for their efforts in the recent storm.

Hampton stated the citizens were taken care of and they should be appreciative of all those things that were happening behind the scenes.

AUDIENCE PARTICIPATION: None

CONSENT AGENDA:

Mayor Booker stated item #8 will be considered separately.

<u>MOVED by Warren SECOND by Hampton</u> to approve the consent agenda with the exception of item #8. AYE: Johnson, Warren, Hankins, Jackson, Chapman, Hampton, Fortenbaugh. NAY: None. MOTION CARRIED.

1. Consider approval of the Lawton City Council meeting minutes of January 26 and February 9, 2021.

2. Consider the following damage claims recommended for approval: Southwestern Bell Telephone, dba AT&T Oklahoma in the amount of $2,866.60 **(Res. 21-44)** Craig Crane in the amount of $177.99, T Two Green Properties, LLC, in the amount of $10,075.52 **(Res. 21-45)** and Southwestern Bell Telephone, dba AT&T Oklahoma in the amount of $2,245.01 **(Res. 21-46)**.

3. Consider the following damage claim recommended for denial: Vandy Kong in the amount of $716.41.

4. Consider authorizing the filing of a Programmatic Application to the Oklahoma Water Resources Board (OWRB) requesting financial assistance to comply with an Oklahoma Department of Environmental Quality (DEQ) consent order in the amount of up to approximately $47 million.

5. Consider and take action with respect to a resolution of the City of Lawton, Oklahoma (the "City") approving action taken by the Lawton Water Authority (the "Authority") authorizing issuance, sale and delivery of a promissory note or notes in one or more series of the authority to the Oklahoma Water Resources Board (OWRB); ratifying and confirming a lease agreement, as amended pertaining to certain water, sanitary sewer, and refuse systems; and containing other provisions related thereto. **Resolution 21-47**

6. Consider approving the construction plans for an 8-inch sanitary sewerline and 12-inch waterline to serve the proposed businesses located at 4800 and 4902 NW Cache Road, subject to the conditions listed.

7. Consider extending contract (RFPCL19-014) Fire Service Cost Recovery and Billing to Fire Recovery USA of Roseville, CA for an additional year.

8. Consider approving appointments to the Race Relations Commission.

Kelea Fisher, Deputy City Attorney, stated staff discovered that one of the nominees, Cindy Famero, does not reside within city limits, so she will need to be removed from the nominee list.

MOVED by Warren SECOND by Hankins to approve appointments to the Race Relations Commission with the exception of Cindy Famero. AYE: Warren, Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Johnson. NAY: None. MOTION CARRIED.

OLD BUSINESS ITEM:

9. Continue a public hearing and consider a Use Permitted on Review for the operation of a medical marijuana processing facility in conjunction with a medical marijuana dispensary in C-5 General Commercial District located at 2617 NW Cache Road.

Charlotte Brown, Senior Planner, stated this request was brought to the council in January and the applicant asked for a continuance to this meeting. Both the applicant and the property owner have asked for another continuance because they have not been able to work out their concerns.

MOVED by Hankins SECOND by Jackson to continue the public hearing. AYE: Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

NEW BUSINESS ITEMS:

10. Consider approving an agreement between the City of Lawton and Garver, LLC for the Propel CIP Program Planning Project No. 2020-09.

Cleghorn stated this will be an operating document that allows them to present to staff to show how we will process capital improvement items in our city.

Mary Elizabeth Mach, Garver Engineering, stated she is here to talk about how a capital improvements process will help identify projects so you not only understand what is going on right now, but you will know where you are headed.

Ms. Mach presented a power point presentation regarding the CIP planning process. (On file in the City Clerk's office)

Chapman questioned the time of putting this all together.

Cleghorn stated it will take about a year.

Mayor Booker stated this will move projects forward faster and will keep us from borrowing money that does not get spent and this will easily pay for itself.

Cleghorn stated there is another portion of this project that will be brought back after the end of this year and that will be how we integrate into our financial system. The end goal is that once that project is up, the citizens can go into a portal and look at the status of the project and what was spent.

Warren stated this is all about planning and in the past, we have been weak in planning. This will give us the opportunity to be able to plan and to have that information at our fingertips.

Hampton stated this will put together a plan for the future of our city. He stated that this is in two phases.

Cleghorn stated yes, this is phase one and phase two will be the interface to our financial systems to allow those to be updated back and forth across that portal for our citizens. This will allow them to look at projects and escalate out what a project will cost if they delay it for five years. They will now have that decision-making information tool.

Mayor Booker stated this sets out a fifteen-year plan and puts it in place, so it is not changed. This helps set the plan in place that the citizens voted on so it will be carried out the way they expect.

Cleghorn stated this will allow them to move forward and they will come back at the next council meeting with a resolution on how to fund this.

MOVED by Warren SECOND by Jackson to approve an agreement between the City of Lawton and Garver, LLC for the Propel CIP Program Planning Project No. 2020-09 in the amount of $543,540.00. AYE: Jackson, Chapman, Hampton, Fortenbaugh, Johnson, Warren, Hankins. NAY: None. MOTION CARRIED.

11. Consider approving an ordinance pertaining to Administration, renaming and amending Sections 2-3-9-361, 2-3-9-362, 2-3-9-363, creating Section 2-3-9-364, renaming and amending Division 2-3-9, Article 2-3, Chapter 2, Lawton City Code, 2015, by creating the "Youth and Family Affairs Committee"; providing for severability and providing an effective date.

Ratliff stated this is the implementing ordinance for the Youth and Family Affairs Committee. The intent is to empower at risk youth in our community and enable them with life and career enhancing skills that they will be able to use in the future.

Mayor Booker stated this was part of the CIP and the idea behind it was to invest in kids in a way that they can be successful and keep them focused on a good, productive lifestyle. He stated committee nominees will be brought to council at the next meeting for approval. He stated Council Member Johnson will serve as the council representative.

Johnson stated she is excited about working with this technical team because they do need to provide some extra support from the city in helping the young people in the community.

MOVED by Johnson SECOND by Warren to adopt **Ordinance 21-03**, waive the reading of the ordinance, read the title only and establishing an effective date of thirty days after passage AYE: Chapman, Hampton, Fortenbaugh, Johnson, Warren, Hankins, Jackson. NAY: None. MOTION CARRIED.

(Title read by City Attorney) Ordinance 21-03

An ordinance pertaining to administration, renaming and amending Sections 2-3-9-361, 2-3-9-362, 2-3-9-363, creating Section 2-3-9-364, renaming and amending Division 2-3-9, Article 2-3, Chapter 2, Lawton City Code, 2015, by creating the Youth and Family Affairs Committee; providing for severability; and providing an effective date.

STAFF REPORTS:

Cleghorn introduced Don Moore, the new Finance Director.

Chief James Smith, Lawton Police Department, presented a follow up on the various divisions of the Lawton Police Department.

Kara Haynes, Finance Director, presented revenue and expenditure highlights for the period ending January 31, 2021. (On file in the City Clerk's office).

DEPARTMENT ROUNDUP - INFORMATION TECHNOLOGY DEPARTMENT
Dwayne Eckart, Network Administrator, updated the council on the operations/infrastructure team.

The Mayor and Council convened in executive session at 3:37 p.m. and reconvened in regular, open session at 4:56 p.m.

EXECUTIVE SESSION ITEMS:

12. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending action with Oklahoma Department of Environmental Quality concerning a Notice of Violation issued by ODEQ to the City on October 3, 2019 in relation to discharges at the City's Wastewater Treatment Plant from July 2017 through August 2019, and, if necessary, take appropriate action in open session.

Ratliff read the title of item #12. No action was taken.

13. 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.

Ratliff read the title of item #13.

MOVED by Warren SECOND by Jackson to amend the City Clerk's contract to allow for buy down of historic sick leave in the amount of 300 hours a year for three years beginning December 2021. Historic sick leave hours will be considered pensionable. AYE: Fortenbaugh, Johnson, Warren, Hankins, Jackson, Chapman, Hampton, Booker. NAY: None. MOTION CARRIED.

There being no further business to consider, the meeting adjourned at 4:59 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