

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
FEBRUARY 25, 2014- 6:00 P.M.
NEW CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF OUTSTANDING CITIZEN OF COMANCHE COUNTY TO DWIGHT COPE

EMPLOYEE SPOTLIGHT PRESENTATION TO TRUDY KASTNER – HUMAN RESOURCES DEPARTMENT

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 REGULAR MEETINGS OF JANUARY 28, FEBRUARY 11, 2014 AND THE SPECIAL MEETING OF FEBRUARY 5, 2014.

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: Sameera Hamra Murad, dba Hamra Property Co., LLC. in the amount of \$4,232.71 (**Res. 14-21**), American Electric Power Company in the amount of \$3,194.00 (**Res. 14-22**), Southwestern Bell Telephone, dba AT&T Oklahoma in the amount of \$1,278.44 (**Res. 14-23**) and Tonita Daniels, through her attorney John Zelbst in the reduced amount of \$16,325.37 (**Res. 14-24**). Exhibits: Legal Opinions/Recommendations, Resolution No. 14-____, Resolution No. 14-____, Resolution No. 14-____, Resolution No. 14-____.
2. Consider approving the deposit of a reimbursement check from Rubenstein & Pitts in the amount of Twelve Thousand Nine Hundred Eighty-One and 06/100 Dollars (\$12,981.06) into City Attorney's 231 - Professional Services Account. Exhibits: Rubenstein & Pitts reimbursement check.
3. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of Ismael Garcia. Exhibits: **Resolution 14-25**.
4. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of Anthony Bray. Exhibits: **Resolution 14-26**.

5. Authorize the Mayor to execute a Fiscal Year 2013-2014 collective bargaining agreement between the City of Lawton and the International Union of Police Associations, Local 24. Exhibits: IUPA Local 24's last best offer for Fiscal Year 2013-2014 in final form (on file in the City Clerk's Office).
6. Consider approving an Agreement for Professional Services between Alvin R. Jung, d/b/a Jung Engineering, and the City of Lawton to evaluate and provide expert testimony on the redesign and reconstruction of a property in the Comanche County District Court Case CJ-2014-49 styled Vickie Barney vs. City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Agreement between Alvin R. Jung and City of Lawton.
7. Consider approving a resolution authorizing and calling for an election in the City of Lawton, State of Oklahoma, for the purpose of setting the dates for the 2014 primary and general municipal elections for designated City Council seats and authorizing the Mayor to issue an election proclamation. Exhibits: **Resolution No. 14-27** and Election Proclamation.
8. Consider approving a request from BLAC! Inc. out of Oklahoma City, Oklahoma and Mrs. Anita Arnold to allow the Parks and Recreation Department to Co-sponsor and provide in-kind services to the 29th Annual Charlie Christian International Music Festival on May 22-26, 2014 at Shepler Park and Old City Hall parking lots and using the dock at the City Hall Annex as a stage venue and the new City Hall auditorium. Exhibits: Letters of Endorsement for the Charlie Christian International Music Festival
9. Consider approving an Elmer Thomas Park standard lease agreement with Teen Challenge of Oklahoma Inc. for a one day event called Freedom Fest with a public Fireworks display on Thursday July 3, 2014. Exhibits: Letter of Request from Teen Challenge of Oklahoma and Standard Elmer Thomas Park lease agreement.
10. Consider authorizing a contract with Buck Lafferty and Lafferty Motor Sports LLC for management and operations of Fisherman's Cove on Lake Ellsworth for the development of a concession operations and services to include the development of ATV recreational facility. Exhibits: Refer to Lawton Water Authority agenda item.
11. Consider re-approving the record plat for the Replat of Block 9, Eastlake Addition, Part 2. Exhibits: Plat Map.
12. Consider accepting permanent utility and drainage easements for the public improvements located within Lots 3, 4, 5, 6, 7, and 8, Block 1, Lawton Downtown Center, Part 2. Exhibits: Location Maps. Easements on file in the City Clerk's office.
13. Consider granting a release of temporary easements within the Lawton Town Center project area. Exhibits: Release of Easements is on file in the City Clerk's office.

14. Consider accepting a permanent utility easement and three temporary easements from Lyle & Evelyn Ball, husband and wife for right of way needed for the South Wolf Creek Trunk Expansion #2 Project #13-3SSES, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Location Maps. Documents are on file in the City Clerk's office.
15. Consider accepting a warranty deed from Joshua L. Bynum and Rachel Bynum, husband and wife for right of way needed for the SE 45th Street Reconstruction (Between Lee & Gore) Project #2006-12, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Location Maps. Documents are on file in the City Clerk's office.
16. Consider accepting a temporary easement from William C. Williams and Lisa J. Williams, husband and wife for right of way needed for the SE 45th Street Reconstruction (Between Lee & Gore) Project #2006-12, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Location Maps. Documents are on file in the City Clerk's office.
17. Consider transferring savings in the rollingstock fund from the Medicine Park Water Treatment Plant's budget to the Police Departments budget. Exhibits: Letter of recommendation from the Equipment Maintenance Supervisor.
18. Consider extending contract (RFPCL12-015) Concession Operations, Ahlshlager Park with Lawton Evening Optimist of Lawton, OK for an additional year. Exhibits: Department recommendation, Contract Extension Form, Price Sheet.
19. Consider awarding contract (CL14-018) Lease of Hydraulic Excavator to CL Boyd Company Inc from Oklahoma City, OK. Exhibits: Department recommendation, Contract Extension Form, Price Sheet.
20. Consider entering into a Trust Authorization agreement with LifeQuest Services of Wautoma, WI. Exhibits: Trust Authorized Signature Page.
21. Consider approving appointments to boards and commissions. Exhibits: None.
22. Consider approval of payroll for the periods of February 3-16, 2014.

NEW BUSINESS ITEMS:

23. Hold a public hearing and adopt a resolution declaring the structures located at: 1401 NW Baldwin Avenue (**Res. 14-28**); 1425 NW Ozmun Avenue (**Res. 14-29**); and 1511 NW Lawton Avenue (**Res. 14-30**) to be dilapidated pursuant to Lawton City Code 6-5-1, ordering the owner(s) to abate the nuisance, authorizing summary abatement, and authorizing the City Attorney to commence legal action in district court to abate the nuisance. Exhibits: Three Resolutions and Exhibits A.
24. Conduct a public hearing and accept the Self-Evaluation Report recently undertaken by City staff as part of the ongoing process of assessing and improving program accessibility within the City as required by Title II of the Americans with Disability Act (ADA). Exhibits: ADA Self-evaluation Report.

25. Consider approving an ordinance pertaining to the adoption of the most recent editions of the International Codes adopted by the State of Oklahoma as amended by the Oklahoma Uniform Building Code Commission by adopting the 2009 editions of the International Building Code, International Property Maintenance Code, International Existing Building Code, and International Fire Code, and the 2011 National Electrical Code by amending Sections 6-1-1-101 through 6-1-1-103, Division 6-1-1, Article 6-1, Sections 6-3-1-301 through 6-3-1-302, Division 6-3-1, Article 6-3, Sections 6-5-1-501 through 6-5-1-505, Division 6-5-1, Sections 6-5-2-221 through 6-5-2-223, Division 6-5-2, Article 6-5, Chapter 6, and Sections 11-2-201, 11-2-208, and 11-2-209, Article 11-2, Chapter 11, Lawton City Code, 2005, providing for severability and establishing an effective date. Exhibits: **Ordinance No. 14-05** and significant changes handout.
26. Consider approving an Ordinance pertaining to Itinerant Vendors amending the definition of an itinerant vendor and prohibiting all activities of itinerant vendors within the City of Lawton by amending Sections 7-12-1-1201 and 7-12-1-1202 and repealing Sections 7-12-1-1203 through 7-12-1-1218, Division 7-12-1, and pertaining to Temporary Structures and Uses by establishing a temporary use category for itinerant merchants who wish to operate temporarily on commercial property, amending the temporary use regulations for promotional activities of existing retail merchants, and establishing temporary use regulations for promotional activities of existing non-retail businesses by establishing Section 7-12-2-1249, and amending Sections 7-12-2-1250 and 7-12-2-1251, Division 7-12-2, Article 7-12, Chapter 7, Lawton City Code, 2005, providing for renumbering and severability. Exhibits: **Ordinance No. 14-06**
27. Consider approving a Resolution pertaining to Itinerant Vendors and Temporary Structures and Uses by repealing Article A-7-12 in its entirety and amending Article A-7-12-2, Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005. Exhibits: **Resolution 14-31**.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

28. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending case in Comanche County District Court of Kerry Fryer-Price vs. City of Lawton, CJ-2012-278, and if necessary, take appropriate action in open session. Exhibits: None.
29. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending investigation of matters involving the Lawton Police Department, and if necessary, 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."