

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
MARCH 11, 2008 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

CONDUCT ELECTION OF MAYOR PRO TEM

PRESENTATION OF PROCLAMATION FOR VIETNAM VETERANS AWARENESS DAY

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 MEETING OF FEBRUARY 26 AND SPECIAL MEETING OF MARCH 3, 2008.

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 resolution authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Billy R. and Brenda Cole in the amount of \$75.00, Fran and Willie Harrell in the reduced amount of \$4,216.75, Vernon Broomfield in the reduced amount of \$1,456.90 and Ronnie L. and Sheila A. Null in the amount of \$3,145.79. Exhibits: Legal Opinions/Recommendations, Resolution No.____, Resolution No.____, Resolution No.____. Page 1
2. Consider the following damage claims recommended for denial: Albert and Susan Ozuna in the amount of \$1,200.00 and Michael and Connie Jones in the amount of \$43,575.95. Exhibits: Legal Opinions/Recommendations. Page 16
3. Consider approving an Outside Water Sales Contract with Darry Shaw, and authorize the Mayor and City Clerk to execute the Contract. Exhibits: Location Map. Contract is on file in the City Clerk's Office. Page 22
4. Consider ratifying the actions of the Lawton Water Authority awarding a surface lease for City property in the Southwest Quarter of Section 12, Township 4 North, Range 11 West, in the vicinity of Lake Ellsworth in Comanche County for the purpose of drilling an oil/gas well by Marathon Oil Company, and authorize the Mayor and City Clerk to execute the lease document. Exhibits: Location Map; Lease is On File in the City Clerk's Office. Page 24
5. 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 Sam Lopez in the Workers' Compensation Court, Case No. 2007-09946 A. Page 26
6. Consider approving a Resolution establishing a committee to be appointed by the Mayor and confirmed by the Council to be known as the Parade/Assembly Fee Review Committee. Exhibits: Resolution No. 08-____. Page 29

7. Consider approving an Agreement with Abington, L.L.C. to remodel the property located at 4625 SW J Avenue, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Agreement is on file in the City Clerk's Office. Page 31
8. Consider entering into a Professional Services Agreement with John Lemmon Films, Inc. for a stormwater education campaign, and authorize the Mayor and City Clerk to execute the document. Exhibits: Professional Services Agreement. Page 32
9. Consider ratifying a resolution agreeing to file application with the Oklahoma Water Resources Board for the financial assistance through the Drinking Water SFR Loan Program and/or Financial Assistance Program, for the purpose of financing improvements to the authority's water system; and containing other provisions related thereto. Exhibits: Resolution 08-____. Page 36
10. Consider accepting donation of fifteen police jackets to be utilized by the police department's "Bike Patrol". Exhibits: None. Page 37
11. Consider approving a request to enter into a grant application process with the Oklahoma Emergency Management Hazard Mitigation and the City of Lawton for an opportunity to purchase the Pictometry Visual Intelligence System. Exhibits: Copy of the project grant application. Page 38
12. Consider approving and accepting a one-time donation gift in the amount of \$1,000.00 from the estate of Vanita Lee for landscaping at the Highland Cemetery. Exhibits: Check is on file with Financial Services Supervisor. Page 42
13. Consider giving City Manager approval to immediately terminate the contract between the City and E-Lite Cleaning Company. Exhibits: None. Page 43
14. Consider approving Change Order #1 for the Lake Ellsworth Pump Station Electrical Project #2007-5 with Ramsey Ward Electric Co. Exhibits: None. Page 44
15. Consider acknowledging receipt of a permit for the construction of a one million gallon capacity composite elevated water storage tank from the Oklahoma Department of Environmental Quality to serve the Water Infrastructure Improvement Phase 2 (Tower) Project #2006-9, City of Lawton, Comanche County, Oklahoma. Exhibits: "Permit to Construct" dated February 19, 2008. Page 45
16. Consider approving a credit adjustment in the amount of \$941.41 to Southwest Mobile Village's utility account #1001210036 for the property at 2301 SW Sheridan Road for an undetected, underground leak on the customer's water service line. Exhibits: Billing statements from Baker Plumbing dated 12/12/2007 and Copy of Southwest Mobile Village's bill. Page 49
17. Consider awarding (CL08-031) Sulfuric Acid to Southwest Chemical Services Inc. of McAlester, OK. Exhibits: Department recommendation, abstract of bids. Page 52

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18. Consider awarding (CL08-038) Aluminum Sulfate, Liquid to Chameleon Industries Inc of Mesquite, TX. Exhibits: Department recommendation, abstract of bids. Page 55
19. Consider awarding (CL08-042) Concession Lease Ahlshlager Park to Lawton Evening Optimist of Lawton, OK. Exhibits: Department recommendation, abstract of bids, Lease & Non-Exclusive Concession Operation Agreement. Page 59
20. Consider awarding (CL08-040) Footwear (Safety, Athletic & Walking): Item Safety to Woodward's Cyril of Cyril, OK. Exhibits: Department recommendation, abstract of bids. Page 73
21. Consider awarding (CL08-040) Footwear (Safety, Athletic & Walking): Item Athletic to Bill's Scoreboard Inc. of Lawton, OK. Exhibits: Department recommendation, abstract of bids. Page 78
22. Consider awarding (CL08-035) Hydraulic Root Saws to J&R Equipment LLC of Oklahoma City, OK. Exhibits: Department recommendation, abstract of bids. Page 83
23. Consider approving appointments to boards and commissions. Exhibits: None. Page 87
24. Consider approval of payroll for the period of February 25 – March 9, 2008.

OLD BUSINESS ITEMS:

25. Consider the following damage claim recommended for denial: Stoney and Kyong Teeter. Exhibits: Supplemental Claims Memorandum/Recommendation. Page 89

NEW BUSINESS ITEMS:

26. Hold a public hearing and consider an ordinance changing the zoning from I-3 (Light Industrial District) to I-4 (Heavy Industrial District) zoning classification located at 672 SW Bishop Road. Exhibits: Ordinance No. 08-____, Location Map, Site Plan, Application, Petition and CPC Minutes. Page 94
27. Hold a public hearing and consider a resolution amending the 2025 Land Use Plan from Agriculture to Residential/Low Density, Residential/High Density, and Commercial and an ordinance changing the zoning from Temporary A-1 (General Agricultural District) to R-1 (Single-Family Dwelling District), R-4 (High Density Apartment District), and C-1 (Local Commercial District) zoning classification located at the southeast corner of SW 52nd Street and Bishop Road. Exhibits: Resolution No. 08-____, Ordinance No. 08-____, Location Map, Site Plan, Applications and CPC Minutes. Page 124
28. Hold a public hearing and consider a change of zoning from A-1 (General Agricultural District) to C-1 (Local Commercial District) zoning classification located at 3001 SE Lee Boulevard. Exhibits: Ordinance No. 08-____, Location Map, Site Plan, Application and CPC Minutes. Page 140

29. Consider an appeal on the denial of a special flood hazard development permit for a low water crossing on the West Branch of Wolf Creek at the Lawton Country Club, 4601 W. Gore Blvd. Exhibits: Letter of Denial by the License and Permit Center, Letter from Edward W. Dzialo, Jr., Floodplain Map, Site Plan and Order. Page 150
30. Consider accepting an award from the U.S. Department of Housing and Urban Development (HUD) of a CDBG Section 108 Loan Guarantee for \$2,000,000. Authorize the Mayor to sign the Funding Approval/Agreement and the Applicant/Recipient Disclosure/Update Report and authorize submission to HUD. Exhibits: Exhibit A: HUD Award Letter dated November 19, 2007 with a Funding Approval/Agreement with Item 8, Special Conditions (Enclosure A) and an Applicant/Recipient Disclosure/Update Report (Enclosure B) is on file in the City Clerk's office and HCD. Page 160
31. Consider an ordinance amending Section 17-3-4-436, Division 17-3-4, Article 17-3, Chapter 17, Lawton City Code, 2005, relating to personnel policies and procedures by amending the City Code to provide that the city and general employees' retirement contribution rates reflect the current rates that were adopted by the City Council as a part of the budget process for the 2004/2005 fiscal year and providing for severability, and an effective date. Exhibits: Ordinance No. 2008-____. Page 162

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

32. Pursuant to Section 307B. 4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations between the City and the AFSCME employees group, and if necessary, take appropriate action in open session. Exhibits: None. Page 165
33. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2008-2009 between the Fire Union IAFF, Local 1882, and the City of Lawton, and take appropriate action in open session. Page 166

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."