



City of Lawton

City Council

Agenda

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma
73501-3944

Tuesday, March 12, 2024

2:00 PM

**Lawton City Hall
Council Chambers/Auditorium**

"Official action can be taken only on items which appear on the agenda. The Council may adopt, approve, ratify, deny, defer, recommend, or continue any agenda item. The Council may also propose and enact floor amendments to any matter presented before them. When more information is needed to act on an item, the Council may refer the matter to the City Manager or the City Attorney. The Council may also refer items to standing committees of the Council or a board, commission, or authority for additional study. Under certain circumstances, items are deferred to a specific later date or stricken from the agenda entirely."

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION:

True North Award

PROCLAMATION:

Developmental Disabilities Month

Citizen of the Month: Red Cross

REPORTS: MAYOR/CITY COUNCIL

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. The Mayor and Council will receive comments from audience members. Council may recommend to the individual or group as to what action they should take, i.e., refer the situation to a particular department or person at the city offices. Each speaker will have a 3-minute time limit, each topic will have a 9-minute time limit, and Audience Participation will be limited to 30-minutes in total.

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 approving the minutes of the February 27, 2024 meeting.

[24-1344](#)

Attachments: [02.27.24 Minutes](#)

2. Consider adopting a resolution ratifying the action of the Deputy City Attorney and the City Manager in making payment on the judgment in the amount of \$51,624.47, in the Workers' Compensation case of Itaska Rountree in the Oklahoma Workers' Compensation Commission, Case No. CM3-2019-06859A. [24-1313](#)

Attachments: [Rountree, Itaska, Resolution](#)

3. Consider approving a resolution amending the City of Lawton FY 23-24 budget, as amended, by appropriating Seven Million Nine Hundred Eighty-Six Thousand Eight Hundred Two and 00/100 Dollars (\$7,986,802.00) to General, Drainage Maintenance, Capital Improvement and Capital Improvement/propel 2019 Funds. [24-1315](#)

Attachments: [Budget Appropriation Amendment Resolution.pdf](#)

4. Consider adopting a resolution approving certain new and revised pages in the form of a book entitled Volumes I and II to the City of Lawton Municipal Code, 2015, printed and designated as the 2017-2018 Biennial Supplement, known as Supplements No. 3 and 4 to the Lawton City Code, 2015, and authorizing distribution. [24-1294](#)

Attachments: [3 and 4 Approving Res](#)

5. Consider approving a resolution directing the City Clerk to notify the public of the publication of the 2017-2018 Biennial Supplement, known as Supplements No. 3 and 4 to the Lawton City Code, 2015 and further directing the City Clerk to file certified copies of this resolution and copies of Supplements No. 3 and 4 to the Lawton City Code, 2015 with designated governmental entities as required. [24-1295](#)

Attachments: [3 and 4 Directing Res](#)

6. Consider approving a resolution to allow for the transfer of revenue the City receives by leasing space from the City operated lakes recreational areas to a Special Revenue Fund account for the Parks and Recreation Lakes Recreational Area. Currently, all revenues received are deposited in the General Fund. The funds will be carried over from year to year. [24-1331](#)

Attachments: [Resolution No. 24-](#)

7. Consider approving a resolution amending the City of Lawton FY 23-24 budget as amended, by increasing estimated revenues by Six Million Sixty Thousand Eight Hundred Thirty-one and 00/100 Dollars (\$6,060,831.00). [24-1342](#)

Attachments: [Budget Revenue Amendment Resolution.pdf](#)

8. Consider awarding a contract in the amount of \$14,177,260.00 to TIMCO Blastings & Coatings, INC, for the construction of Map 09 Waterlines Project PU2308 to replace approximately 37,000 linear feet of high maintenance waterlines. [24-1296](#)
- Attachments:** [Rec of Award Map 09 Rev1](#)
[Bid Tab - Map 09](#)
[PU2308 Contract](#)
9. Consider extending contract (CL23-015) Liquid Oxygen with Matheson Tri-Gas, Inc. [24-1337](#)
- Attachments:** [Extend Dept. Recommendation CL23-015](#)
[Signed Vendor Ext. Form - Matheson](#)
[CL23-015 Liquid Oxygen Original Contract](#)
10. Consider and approve agreement for professional services between the City of Lawton and Garver, LLC for the purpose of developing Phase I the 2050 Land Use Plan for the City of Lawton in amount not to exceed of \$156,336 and Phase II of the 2050 Land Use Plan in the amount not to exceed \$250,434 in July if the funding is available. [24-1332](#)
- Attachments:** [Professional Services Agreement with Garver](#)
11. Consider approving a professional services agreement with Ray Demeritt, National Public Adjusting LLC, for professional adjusting services regarding all applicable claims caused by severe weather on June 15, 2023. [24-1351](#)
- Attachments:** [Oklahoma PA Agreement](#)
12. Consider approving Amendment No. 4 to the Master Services Agreement with Garver, LLC, in an amount not to exceed \$687,825.00 for Professional Engineering Services for the Numu Creek Drainage Improvement Project to widen and stabilize the banks of the channel. [24-1297](#)
- Attachments:** [Amendment No. 4 Final](#)
[Exhibit B-2](#)
[Exhibit B-3](#)
13. Consider and take action rejecting all bids received for the Lake Ellsworth Spillway Project PU2312 and authorizing staff to re-advertise the contract for award. Only one bid was received, and the cost was 155% over the Engineers Estimate. [24-1307](#)
- Attachments:** [Bid Tab - Ellsworth Spillway](#)
[Rec to Reject](#)
[PU2312 Lawton Ellsworth SpillwayRehabilitation RejectionLetter February2024 Rev1](#)

14. Consider and take action in awarding a contract in the amount of \$242,150.00 to Integrity Construction Services, LLC, for the construction of 2021 CDBG Sewer Project PU2104 to replace approximately 1,800 feet of sewer line. [24-1308](#)
- Attachments:** [Rec to Award](#)
[Bid Tab - CDBG](#)
[CDBG Contract](#)
15. Consider and take action in approving Amendment No. 2 to the Wastewater Treatment Plant Improvements Project Phase I Contract with Garver, LLC in an amount not to exceed \$89,500.00 for Engineering Services to design the replacement of existing non-functioning blowers needed for plant operations and compliance. [24-1323](#)
- Attachments:** [Amendment No. 2_WWTP - executed](#)
[Appendix A](#)
16. Consider accepting a Public Works Safety Equipment (PWSE) grant from Oklahoma Municipal Assurance Group (OMAG) in the amount of \$2,000 for the purchase of traffic control devices, and authorize the execution of any documents necessary to accept the grant. [24-1311](#)
- Attachments:** [OMAG PSWE Grant Award Letter](#)
17. Consider accepting the Oklahoma Heritage Preservation grant of \$20,000.00 from the Oklahoma Historical Society to digitize newspaper records and authorizing the Mayor to sign the contract. [24-1316](#)
- Attachments:** [Lawton Public Library Contract - Oklahoma Heritage Preservation Grant Contract.pdf](#)
18. Consider accepting a donation of rocks and dirt with an approximate monetary value of \$15,000.00 from John and Krista Ratliff for use in City parks. [24-1324](#)
19. Consider approving a request allowing Lawton Police Department to submit an application for the Vested Interest in K9's Vest Recipient Program; and if awarded, approve the acceptance of said vests for K9 use. [24-1329](#)
- Attachments:** [K9 Vest Recipient Application](#)
20. Consider accepting permanent easements from Lawton Economic Development Authority and Comanche County Industrial Development Authority for right-of-way and utility relocation along the east side of SW 112th Street, between Lee Boulevard and Bishop Road, and authorizing the Mayor and City Clerk to execute the documents. [24-1334](#)
- Attachments:** [LEDA - PU & ROW](#)
[CCIDA - PU & ROW](#)

21. Consider accepting a permanent easement from Michael Gene Goodin and Tammy Goodin for property located adjacent to 7702 SW 11th Street required for the Wolf Creek Bridge Project # EN2204 along SW 11th Street, authorizing the Mayor and City Clerk to execute the document and payment for the same. [24-1336](#)

Attachments: [Goodin Easement](#)

22. Consider approving appointments to boards and commissions. [24-1343](#)

Attachments: [Board Appointments- 03.12.24](#)

BUSINESS ITEMS:

23. Consideration and action upon Resolution of the City of Lawton, Oklahoma (the “City”) authorizing and approving the incurring of indebtedness by the trustees of the Lawton Industrial Development Authority (herein the “Authority”) to be accomplished by the issuance of its Sales Tax Revenue Note, Series 2024 or other evidences of indebtedness in one or more series designations on a tax-exempt or taxable basis, at a premium or discount, in the aggregate principal par amount of not to exceed Thirty Million Dollars (\$30,000,000) (herein the “Note”) for the purpose of financing all or a portion of the cost of the acquisition, construction, equipping, renovating, and improving of certain public infrastructure and capital improvement projects to be located within the City; and pay costs of issuance related thereto; providing that the organizational document creating the Authority is subject to the provisions of the indenture authorizing the issuance of said Note; approving the award of the sale of said Note on a negotiated basis, approving the waiver of competitive bidding with respect to the sale of said Note; and approving the proceedings of the Authority pertaining to the sale of said Note; approving and authorizing a Sales Tax Agreement (the “Sales Tax Agreement”) by and between the City and the Authority pertaining to the year-to-year pledge of certain sales tax revenues; and all matters related thereto, including execution of all related documents thereto. [24-1349](#)

Attachments: [Resolution No. 23-152.pdf](#)
[City Council Resolution Authorizing Indebtedness.docx](#)

24. Hold a public hearing and consider a resolution for a rezoning request for the property located at 1201 SW C Ave, Lawton, OK 73501, amending the 2030 Land Use Plan from Residential/ High Density to Commercial and take appropriate action as deemed necessary. [24-1251](#)

Attachments: [Resolution No. 24-](#)

[Location Map \(1201 SW C Ave\) 2023 1214](#)

[ALUP Application \(1201 SW C\) 1211 2023](#)

[Site Plan \(1201 SW C\) 1211 2023](#)

[Analysis \(1201 SW C Ave\) 2023-1229](#)

[Notice Newspaper CPC & Council Rezone\(1201 SW C Ave\) 2024-0206](#)

[Notice Mailing CPC & CC Rezone\(1201 SW C Ave\) 2024-0206](#)

[CPC Minutes 1-11-2024](#)

[CPC Minutes 2-29-2024](#)

25. Hold a public hearing and consider an ordinance for a rezoning request for the property located at 1201 SW C Ave, Lawton, OK 73501, changing the zoning from the R-4 High-Density Apartment District to C-1 Local Commercial District zoning classification and take appropriate action as deemed necessary. [24-1250](#)

Attachments: [Ordinance No. 24-](#)

[Location Map \(1201 SW C Ave\) 2023 1214](#)

[Application \(1201 SW C\) 1211 2023](#)

[Site Plan \(1201 SW C\) 1211 2023](#)

[Analysis \(1201 SW C Ave\) 2023-1229](#)

[Notice Mailing CPC & CC Rezone\(1201 SW C Ave\) 2024-0206](#)

[Notice Newspaper CPC & Council Rezone\(1201 SW C Ave\) 2024-0206](#)

[CPC Minutes 1-11-2024](#)

[CPC Minutes 2-29-2024](#)

26. Consider approving Amendment No. 1 to the agreement between the City of Lawton and SCS Engineers for professional engineering services in the amount of \$368,020.00, for the continuation of the subject scope of services for Project PW2101, dated September 12, 2022 and includes construction quality assurance (CQA) services for Cells 6 and 7 liner construction and groundwater services at the City of Lawton Landfill. [24-1325](#)
27. Consider approving plans and specifications for Engineering Project EN2002B Phase I, Goodyear Blvd Reconstruction from the Railroad Crossing to Cache Rd. and authorizing staff to advertise for bids. [24-1326](#)
28. Consider approving plans and specifications for Project PW2101 - Landfill Cells 6 & 7 and authorizing staff to advertise for bids. [24-13225](#)

29. Consider accepting the temporary construction easements and permanent utility and access easements from William A. Williams and Georgia J. Williams Real Estate Trust and The Chausry Group, Inc, for the Cache Road water main and sidewalk project, authorizing the Mayor and City Clerk to execute the documents, and payment for the same. [24-1322](#)

Attachments: [Williams - Copy of Easements and Offer Letter](#)
[Chausry Group - Copy of Easements and Offer Letter](#)

30. Consider approving an Ordinance pertaining to businesses by amending Sections 7-12-1-1201, 7-12-1-1202, 7-12-1-1203, 7-12-1-1205, 7-12-1-1209, 7-12-1-1210, and 7-12-1-1217, Division 7-12-1, Article 7-12, Chapter 7, Lawton City Code, 2015, by adding language to clarify the definition of storefront, clarifying that all persons who want to go door-to-door within Lawton shall have a permit, setting the fee as a per person instead of per business, setting forth the hearing process if a door-to-door permit is revoked, requiring a background check for all individuals going door-to-door except minors, clarifying the times that door-to-door vendors are permitted to operate, and setting an exception for the placement for handbills or leaflets on automobiles in public parking lots not be considered a door-to-door or itinerant vendor activity, providing for severability and establishing an effective date. [24-1314](#)

Attachments: [Ordinance No. 24-_____](#)

31. Consider an ordinance amending Personnel Policies and Procedures Section 17-1-6-161, Division 17-1-6, Article 17-1, Chapter 17, Lawton City Code, 2015, by automatically paying regular full-time general employees and regular part-time general employees, who have completed five (5) years of service, all unused vacation hours above two hundred-eighty (280) for regular full-time general employees and one hundred-forty (140) for regular part-time employees at a reduced rate of seventy-five percent (75%) of the employees regular hourly rate of pay; establishing month of payment to be in January; providing for severability and establishing an effective date. [24-1319](#)

Attachments: [HR - Vacation Use Lose March 2024 Ordinance](#)
[HR - Vacation Use Lose March 2024 Brief Gist](#)

32. Consider an Ordinance, including any floor amendments, amending Personnel Policies and Procedures Section 17-1-6-162, Division 17-1-6, Article 17-1, Chapter 17, Lawton City Code, 2015, by granting employees holidays off based on the federal holiday schedule, plus the day after Thanksgiving and Christmas Eve; repealing paragraph D of the Section dealing with flexible holidays; providing for severability and establishing an effective date. [24-1320](#)

Attachments: [HR - Holiday Leave March 2024 Brief Gist](#)
[Holiday Peer 6 Compare](#)
[HR - Holiday Leave March 2024 Ordinance](#)

33. Consider an Ordinance pertaining to Personnel Policies and Procedures amending Section 17-1-6-167, Division 17-1-6, Article 17-1, Chapter 17, Lawton City Code, 2015, by requiring the request for terminal leave to be made not less than ninety (90) days from the date terminal leave is to begin for regular full-time employees not in the executive pay plan and to not less than one hundred-twenty (120) days from the date terminal leave is to begin for regular full time employees in the executive pay plan; requiring notification to be to the employee's department director or city manager (whichever is applicable); allowing for floor amendments; providing for severability and establishing an effective date. [24-1321](#)

Attachments: [1. Terminal Leave](#)

34. Consider approving an ordinance pertaining to Administration, creating Section 2-3-19-403 and Division 2-3-19 in Article 2-3, Chapter 2, Lawton City Code 2015, relating to Boards, Commissions and Committees by establishing the Homeless Action Committee, setting forth membership, duties and purpose; providing for codification; providing for severability and establishing an effective date. [24-1338](#)

Attachments: [Homeless Action Committee Ord](#)

35. Consider approving an ordinance pertaining to Recreation, creating Section 19-7-714 in Article 19-7, Chapter 19, Lawton City Code, 2015, by establishing a provision prohibiting metal detecting and digging in City owned parks; providing for severability and establishing an effective date. [24-1340](#)

Attachments: [Metal Detecting Digging](#)

36. Consider approving a supplemental agreement for additional funding between the City of Lawton and the Department of Transportation of the State of Oklahoma Project Number JP19144(04), State Job Number STP-116B(059) MS, City's Project Number EN1208 Gore Blvd between 67th to 82nd St. [24-1306](#)

Attachments: [Supplemental JP19144\(04\) Comanche Co. - Gore Boulevard funding agreement.pdf](#)
[1914404-2 Invoice.pdf](#)

37. Per the recommendation of the Streets and Bridges Committee, consider approving T&G Construction, Inc as the designated vendor for Project No. PW2303- Citywide Pavement Rehabilitation Project "A", commonly known as the "On Target, On Time" Street Project and direct staff to initiate the drafting of a contract to formalize the terms and conditions of the engagement. [24-1353](#)

Attachments: [2024 Citywide Pavement Rehabilitation Project A \(PW 2303\) Bid Results](#)

38. Per the recommendation of the Streets and Bridges Committee, consider approving T&G Construction, Inc as the designated vendor for Project No. PW2304- Citywide Pavement Rehabilitation Project "B", commonly known as the "On Target, On Time" Street Project and direct staff to initiate the drafting of a contract to formalize the terms and conditions of the engagement. [24-1358](#)

Attachments: [2024 Citywide Pavement Rehabilitation Project B \(PW 2304\) Bid Results](#)

39. Receive a report from Bryce Mosley regarding an Eagle Scout Project proposal to repair the dog park. [24-1362](#)

STAFF REPORTS:

40. Provide City Council with an update on the FY 2022 & FY 2023 Audit Process [23-991](#)

Attachments: [Progress Report - 2024.01.09.pdf](#)
[Progress Report - 2024.01.17.pdf](#)
[Progress Report - 2024.02.09.pdf](#)
[Progress Report - 2024.02.25.pdf](#)
[Audit Progress Report - 2024.03.05.pdf](#)

EXECUTIVE SESSION ITEMS:

41. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending action in the United States District Court for the Western District of Oklahoma titled Felisha Parker and Laresha Parker as next of kin to Isacc D'Wayne Parker, deceased v. City of Lawton, et al, Case number CIV-24-178-JD, and if necessary, take appropriate action in open session. [24-1335](#)

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."