

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
MARCH 14, 2023 – 2:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Stan Booker, Mayor

Also Present:

John Ratliff, Acting City Manager

Tim Wilson, Acting City Attorney

Traci Hushbeck, City Clerk

COL James H.B. Peay, IV, Fort Sill Liaison

Mayor Booker called the meeting to order at 2:09 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Pastor Kyle Johnson, Lawton First Assembly, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT:

Mary Ann Hankins, Ward One

Kelly Harris, Ward Two (arrived @ 2:23 p.m.)

Linda Chapman, Ward Three

George Gill, Ward Four

Allan Hampton, Ward Five

Sean Fortenbaugh, Ward Six

Onreka Johnson, Ward Seven

Randy Warren, Ward Eight

ABSENT:

None

PROCLAMATION:

Women's History Month

Mayor Booker proclaimed March 2023 as National Women's History Month.

REPORTS: MAYOR/CITY COUNCIL:

Chapman praised the police department for the quick response to an incident at her home.

Hampton encouraged citizens to make it out to the Farmer's Market.

Fortenbaugh recognized the water distribution crews who responded quickly after he made a call regarding a water leak. He commended our local media for reporting accurate information.

Johnson stated the Ranch Oak Association will be meeting today at 6 p.m.

Warren congratulated former Council Member Randy Bass on his induction into the Japan Baseball Hall of Fame.

COL Peay stated they appreciate the continued support from the City of Lawton. He stated they will kick off the summer concert series on May 5th and 6th. A larger headliner will be scheduled the first of May.

AUDIENCE PARTICIPATION:

David Tyler, 501 SW 77th, spoke to the council about electric buses and how the lot at 4th & A will allow for the length of the buses. He feels if everyone was given a second trash can at no cost, this would help with the bulk pick up issue. He feels it would be good if citizens can just call when the need a bulk pick up.

Aquarian Yarbrough, 8218 SW Sun Valley, briefed the council on incidents involving Ms. Martina Davis, Council Member Onreka Johnson and Dr. Krista Ratliff.

Justin Stevens, 4016 NW Sunflower Lane, requested sidewalks in Rolling Hills and sidewalks and lighting on SW 38th Street, south of Lee Boulevard. He requested the council re-open the bathrooms and replace the water fountain at the skate park.

Reginald Brown, 6507 NW Maple Avenue, reported there will be a Financial Empowerment Course scheduled for March 18 and will run through June 3 from 9 -11. It is free to the public. It is sponsored by the Consumer Protection Financial Bureau and you can sign up through Bethlehem Baptist Church.

CONSENT AGENDA:

Mayor Booker stated items #16, and #19 will be stricken from business.

MOVED by Warren SECOND by Chapman to approve the consent agenda. AYE: Hankins, Harris, Chapman, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

1. Consider adopting a resolution approving the joint petition settlement in the amount of \$856.80 and making payment in the workers' compensation claim of Gregory Woods. **Resolution 23-37**
2. Consider approving a Resolution to amend Schedule A, Fees and Charges, Lawton City Code, 2015, pertaining to Chapter 7, Business, by amending Article A-7-1, General Provisions. **Resolution 23-38**
3. Consider approving a resolution amending the City of Lawton FY 2022-2023 budget, as amended, by appropriating \$28,000,000.00 to the Lawton Water Authority Fund for water system improvements funded by a Drinking Water State Revolving Fund Loan. **Resolution 23-39**

4. Consider accepting the Permanent and Temporary Utility Easements from Meadors Properties, LLC, and Mattie L. Boyles 1999 Trust for the South Wolf Creek sanitary sewer main installation, Project No. 18-ISSES, and authorize the Mayor and City Clerk to execute documents and authorize payments for the same.
5. Consider awarding a contract for construction of approximately 15,000 feet of the 12”water main (Cache Road Waterline Replacement Project 12-inch water line NW 40th Street to NW 6th Street PU 2203) to Cimarron Construction Company in the amount of \$9,640,270.
6. Consider awarding a contract for construction of approximately 9,000 feet of the 36”water main and 1,500 feet of 30”water line (Cache Road Waterline Replacement Project 36-inch water line NW 67th Street to NW 40th and 30-inch water line from NW Hunter RD to Pump station #3 Street, PU 2203) to Evans & Associates Utility Services, Inc in the amount of \$15,588,125.39.
7. Consider approving Change Order No. 3 and accepting the Project EN1707P1 2017 Ad Valorem Street and Roads Program (Residential), Phase I-B - NW Carroll Dr, SW 26th St, SW Cornell Ave, NW 36th St & NW Santa Fe Ave Sidewalk between NW 43rd St and NE 45th St as constructed by MTZ Construction, LLC and placing the Maintenance Bond into effect.
8. Consider award of construction contract to K&M Dirt Services, LLC dba K&M Wrecking, for the Demolition of Old Police Station and Jail Project No. EN2105.
9. Consider accepting the WWTP Interim Project #1 PU 21-02 as constructed by Wynn Construction Co., Inc. approving Change Order #2 in the deductive amount of \$401,507.73 for final contract amount of \$4,692,393.15 and placing the Maintenance Bond in effect.
10. Consider awarding contract (CL23-012) Litter & Debris Abatement to Bid #1, T&M Solutions, LLC of Duncan, OK.
11. Consider approving appointments to boards and commissions.

Mayor’s Commission on the Status of Women

Liz Ware- At Large Mayoral Appointment
6025 SW Atterbury Drive
Lawton, OK 73505
03/14/2025

Historical Preservation Commission

Christopher Boyd- Licensed Contractor
Mayoral Appointment
7501 NW Wycliffe Lane
Lawton, OK 73505
03/14/2025

Parks & Recreation Commission

Jeshialix Sutherland- Ward 7
4037 SW Jefferson Avenue
Lawton, OK 73505
03/14/2025

Citizens Advisory Committee on CIP

Scott Hatch- Licensed CPA
Mayoral Appointment
417 SW C Avenue
Lawton, OK 73501

Evan Watson- Licensed Attorney
Mayoral Appointment
802 SW C Avenue
Lawton, OK 73501
03/14/2026

Strategic Planning Committee

Krista Ratliff- Mayoral Appointment
302 W Gore Blvd
Lawton, OK 73501

Mark Brace- Mayoral Appointment
3801 NW Cache Road
Lawton, OK 73502

Mike Brown- Mayoral Appointment
8225 Stonebridge
Lawton, OK 73505

Mark Scott- Mayoral Appointment
4330 NW Cache Road
Lawton, OK 73505

Bernita Taylor- Mayoral Appointment
26 NW Sandy Trail Lane
Lawton, OK 73505

Hank Chan- Mayoral Appointment
1101 NW 67th Street
Lawton, OK 73505

UNFINISHED BUSINESS:

12. Consider adopting Resolutions authorizing the installation and/or removal of traffic control measures at: NW 35th Street & Arlington Avenue, and NW 47th Street & Meadow Brook Drive.

Chapman stated she understands that the Traffic Commission does not like to use stop signs as a way of slowing down traffic. She has had the most constant complaints on speeding on Meadow Brook and NW 35th Street. She requested a three way stop at 47th and Meadow Brook and then she could utilize a speed table from 47th to 53rd. She requested a four way stop at NW 35th Street and Arlington and then utilize a speed table to the north between Arlington and Ferris.

MOVED by Chapman SECOND by Fortenbaugh to authorize a four way stop at NW 35th Street & Arlington Avenue, and a three way stop at NW 47th Street & Meadow Brook Drive. AYE: Hankins, Harris, Chapman, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

BUSINESS ITEMS:

13. Receive a presentation from C.H. Guernsey on the Study Report of the Architectural Ceiling System, Lighting, and HVAC Systems of the Lawton Public Library and take action as necessary.

Kristin Herr, Library Director, stated a year ago the Friends of the Library went to the McMahon Foundation requesting funding for a ceiling study. She stated representatives from C.H. Guernsey will present the report.

David Oman, Guernsey, presented information on the Library Renovation Project. (Presentation is on file in the City Clerk's office)

Mayor Booker stated the agenda item has the funding source as the PROPEL CIP and he does not remember this in the CIP.

Herr stated there is a section in PROPEL 2019 for the library. She does not believe all the funding is available. The recommendation is to send it to the committee to discuss. There is not a pot of money earmarked for this project at this time.

Mayor Booker stated the 2015 or 2016 CIP that was rolled into PROPEL had a component in it for the library and that construction has been completed. For this they would have to change the CIP and he does not want to change it and he thinks the council would not want to change the CIP. There is some extra money in the CIP but it is inflationary funds and it must go to all the other projects that the citizens were promised. He does believe there are other needed projects and they need to bring those together to bring an extension to the citizens and see if they will approve it. He stated they need to start thinking about bringing an extension and this project could be added if the council chooses.

Harris questioned if these would be done in phases.

Herr stated they would like to do one half of the building at a time so they can continue to operate. It is practical to bid it as one project.

Mayor Booker suggested they put together a ten-year plan and be ready for anything else that might come up in ten years and the council can look at that when they are putting together the CIP.

Warren stated they have to be very cautious and they have to be able to check off the projects they said they would do before going back for an extension.

Harris stated they do need to complete the projects we promised, but also look towards the future.

No action was taken.

14. Consider approving a request to vary the screening requirement for 1130 SW Lee Boulevard/1350 SW 13th Street and direct staff as necessary.

Kameron Good, Senior Planner, presented information on the request. He stated the code does not identify a person to waive the screening requirement and they are asking for a code change to add that requests will go to the City Planning Commission.

Johnson stated the screening is being requested in a very small area and it is not going to block anything. If there is something put up there, it would displace a lot of people in that area. There is not a lot of space to put something up.

Good stated there is 3 feet between the buildings.

Mayor Booker stated this is one of those times where the requirement just does not make sense. The recommended action is to not only approve this request but to direct staff to draft a code change to Chapter 18 adding similar variance requests to the City Planning Commission.

Hampton stated some of this is for beautification as well as a buffer.

Good stated the intent of the code is to provide a buffer between the residential and commercial area.

MOVED by Gill SECOND by Johnson to approve a request to vary the screening requirement for 1130 SW Lee Boulevard/1350 SW 13th Street and direct staff to draft a code change to Chapter 18 for council consideration adding similar variance requests to the City Planning Commission. AYE: Hankins, Harris, Chapman, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

15. Consider approving a request to vary the screening requirement for 30 NW Sheridan Road and direct staff as necessary.

Good presented information on the request. He stated the property owner wants to go back with a wrought iron fence, which is a better fence, but it is not opaque.

Chad Rogers, property owner, stated they are proposing to beautify the area. They have torn down the duplexes in the area and they hope to develop it into a commercial area.

Chapman and Hampton stated they appreciate the efforts by Mr. Rogers.

MOVED by Chapman SECOND by Hampton to approve a request to vary the screening requirement for 30 NW Sheridan Road. AYE: Hankins, Harris, Chapman, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

16. Discuss the existing traffic signal at the intersection of East Gore Boulevard and Lawrie Tatum Road (KCA Veterans Road) and the Comanche Casino/Best Western/Montego Bay Apartments driveway entrance and direct staff as deemed appropriate. **STRICKEN**

17. Discuss the City of Lawton's fees compared to other cities' fees and give direction to staff as appropriate.

Gill stated he feels this would be a good time to review our fees and he would like to compare them with six major cities in Oklahoma and see if we are keeping up with the times. We want a well-balanced city and we want to be fair with the prices we are charging. He stated it seems there is a big discrepancy in our fee charges.

MOVED by Gill SECOND by Harris to direct staff to create a chart to show comparisons of fees for Lawton, Norman, Broken Arrow, Edmond, Moore, Midwest City, and Enid. AYE: Hankins, Harris, Chapman, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

18. Discuss the possibility of hiring an experienced team building consultant from Strategic Governance Resources (SGR) to help improve the governance of our city and ensure that we are serving our community to the best of our ability.

Harris stated he is concerned that the council is not able to communicate and they have not had any team building. He stated they need to find a way to improve the communication between the council. He stated this could be done in a public workshop to address all the issues coming forward and build teamwork within the council and with city staff.

MOVED by Harris SECOND by Gill

Ratliff stated there is no action language associated with this agenda item, it is just a discussion item.

Warren suggested they wait until they hire a new city manager.

Harris stated he agrees.

Chapman questioned where the funding would come from.

Harris stated probably out of the same account that they paid \$15,000 to Kyle Killingsworth.

Fortenbaugh stated they are limited by the open meetings act and he feels this contributes to any kind of angst that anybody may have. He knows he can reach out to any council member and discuss things, so he is not clear on what the problem is.

Hankins stated they talk straight to each other and work things out and she feels they are doing a pretty good job of being a team.

Harris stated he still feels they are rolling in nine different directions and not getting things accomplished.

Johnson stated they are not going to agree on everything, but she feels they are doing fine.

Hampton stated all of their meetings have to be public and they cannot discuss business with each other and he does not know how doing some team building would work out. He is feeling very supportive and he considers everyone on the council as family.

Ratliff stated there is a document called a notice of suspected quorum that they would file for an event like this so there would not be anything on the agenda and the public would be given notice.

Harris stated he feels there is something he is leaving on the table and are not getting through, so he will abandon the effort and go on his own way.

19. Consider receiving a report on the current status of the municipal pool and wading pools and giving staff direction for the 2023 summer season. **STRICKEN**

20. Discuss and consider whether to seek the help out of an outside firm in finding a new City Manager. Take action as council deems appropriate.

Ratliff stated this item is just to get an idea of how broad a net the council wants to cast in terms of looking, identifying and interviewing city manager applicants and how the council envisions the process playing out.

Warren stated the last few times they hired an outside firm he feels they did not gain anything. He feels they could have done it ourselves.

Ratliff stated it has been posted on our website and we have received applications.

Craig Akard, Human Resources Director, stated the firm would do the initial consideration of the applicants and then supply the names of candidates. They would do the initial interviews and send to us and then narrow it down. He stated his staff can post the opening and the council can appoint staff to vet the applications and submit to council. He stated a firm would go nationwide and have connections to a wider number of applicants.

Johnson questioned if our staff could do something like a disk assessment when hiring for upper management.

Akard stated they do not have anyone on staff that can administer the disk assessment, but an outside firm can do that testing for us.

Johnson questioned if we could just pay for specific portions of the package or do they have to do everything.

Akard stated we can pay for different levels. He stated he would need to know exactly what the council would like to have done.

Johnson questioned what level staff could do and what they would need assistance with.

Fortenbaugh he was very dissatisfied with the last time they hired an outside firm and he felt it just wasted the council's time with a lot of unqualified applicants. He would like to find a good firm and be able to shop for what they need.

Harris questioned if we could get assistance from OML.

Akard stated they can post the job with OML for a small fee.

Ratliff stated he would recommend that we cast as broad a net as possible because there are many important characteristics you want to look at and he feels that a firm can vet these things better than our HR department.

Akard stated he does not feel that he would have the expertise to look through applications for the city manager position and make recommendations.

Gill stated they could look at these applications that come in and if they are not happy, say in three months, they can always reach out to a firm. He stated we can customize this as far as what we are looking for.

Mayor Booker stated he does not feel that they have enough information to decide what we want, but he would like to get this decision made.

Warren suggested they move forward with staff posting the position and then revisit this issue in a few weeks.

Mayor Booker suggested we continue advertising the position, but also get RFP's for options.

MOVED by Warren SECOND by Gill to continue advertising and also get RFP's for options for an outside firm. AYE: Hankins, Harris, Chapman, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

21. Discuss the purpose and duties of the Lawton Traffic Commission and direct staff as deemed necessary.

Larry Wolcott, Public Works Director, stated the Traffic Commission is established under Lawton City Code Division 2-3-4 and has the duties to coordinate traffic reports, receive complaints having to do with traffic matters, and recommend to the council and to the city traffic engineer, chief of police and other city official's ways and means for improving traffic conditions and the administration and enforcement of traffic regulations. Traffic requests are typically received from the public by staff and then field reviewed to establish traffic engineering recommendations to the Traffic Commission. After receiving input from staff, the Traffic Commission then provides a recommendation to the City Council who makes the final determination for implementation of the traffic control devices in question. Council previously discussed the purpose and duties of the Traffic Commission at the December 7, 2021 and February 22, 2022 meetings and took no action to modify their function. During 2022, only one Traffic Commission meeting was held as there were many meetings unable to be scheduled or were canceled due to a lack of quorum. Additionally, the city has not employed a staff traffic engineer since February of 2016 to coordinate with the Traffic Commission. To expedite requests for traffic control installation, removal, or modification, staff recommendations can be brought directly to the City Council for consideration and approval.

Fortenbaugh questioned if these requests could be taken to the CPC.

Wolcott stated yes.

Harris questioned if we need a traffic engineer.

Wolcott stated yes, we need a full-time traffic engineer.

Gill questioned who was currently handling those duties.

Wolcott stated he was handling those duties.

Gill questioned if it was a productive committee.

Wolcott stated yes.

Chapman stated it is frustrating when board and committee members do not attend.

Mayor Booker questioned if their bylaws address absences.

Wolcott stated no.

Mayor Booker suggested they add some alternate members.

Harris served on this committee for eight years and the purpose was to look at requests to see if they make sense and forward that recommendation to the council.

Gill questioned if there was a council member on the commission.

Harris stated no.

Mayor Booker suggested they send a letter to the commission members asking if they desire to serve and they could change code to include a council member on the commission. He questioned how many items a year do they deal with.

Wolcott stated approximately six items per month.

Gill volunteered to be on the commission.

Fortenbaugh questioned if the traffic engineer position was still in the budget.

Wolcott stated no, but there are several engineering positions open.

Johnson questioned if one of those positions could be repurposed.

Wolcott stated yes.

Harris stated the commission depended on the information and recommendation brought by the traffic engineer.

MOVED by Fortenbaugh SECOND by Harris to direct staff to look for ways to revitalize this commission and bring those recommendations back to council on March 28, 2023. AYE: Hankins, Harris, Chapman, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

22. Consider approving an ordinance, including any floor amendments related thereto, pertaining to Chapter 6 Amendments to International Property Maintenance Code, 2015, Division 6-5-1-503 of the Lawton City Code, to decrease the number of months that a property maybe boarded before declaring it a dilapidated structure.

Jon Jernigan, Neighborhood Services Supervisor, stated currently Chapter 6 Division 6-5-1-503 allows a property to be boarded for eighteen months before being able to declare the property a dilapidated structure. The purpose of this amendment is to update the eighteen months to six months. State statute only requires 6 months of boarding and securing before the municipality can look at the property to be declared dilapidated. This item was originally brought to Council on February 28th and the motion to approve the ordinance failed with a vote of 4-2. An ordinance needs 5 affirmative votes to be approved.

Hampton requested a list of the property before it comes to council.

Warren stated this gives us an opportunity to get the problem properties in earlier.

MOVED by Chapman SECOND by Fortenbaugh to adopt **Ordinance 23-14**, waive the reading of the ordinance, read the title only and establishing an effective date of thirty days after passage.

SUBSTITUTE MOTION by Harris to adopt **Ordinance 23-14**, requiring 12 months of boarding and securing. (Motion died due to a lack of a second)

VOTE ON ORIGINAL MOTION: AYE: Hankins, Chapman, Gill, Hampton, Fortenbaugh, Johnson, Warren. NAY: Harris. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 23-14

AN ORDINANCE PERTAINING TO PROPERTY MAINTENANCE CODE, AMENDING DIVISION 6-5-1-503, SECTION 6-5-1, ARTICLE 6-5, CHAPTER 6, LAWTON CITY CODE, 2015; UPDATING THE PROVISIONS OF THE CHAPTER TO REVIEW THE NUMBER OF MONTHS ALLOWED FOR A STRUCTURE TO BE BOARDED TO BE CONSIDERED DILAPIDATED BY THE CITY COUNCIL, AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The Mayor and Council convened in executive session at 3:58 p.m. and reconvened in regular, open session at 4:39 p.m. Roll call reflected all members present excluding Johnson, who attended executive session.

EXECUTIVE SESSION ITEMS:

23. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations with International Association of Fire Fighters (IAFF), Local 1882, and the City of Lawton, specifically whether council desires the City to request negotiations to include a possible amendment to the parties' Fiscal Year 2023-2024 collective bargaining agreement, and, if necessary, take appropriate action in open session.

Wilson read the title of item #23.

MOVED by Warren SECOND by Fortenbaugh to authorize staff to initiate negotiations as staff may deem appropriate for the purpose of amending the parties FY 23-24 collective bargaining agreement. AYE: Hankins, Harris, Chapman, Gill, Hampton, Fortenbaugh, Warren. NAY: None. MOTION CARRIED.

24. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations with International Union of Police Associations (IUPA), Local 24, and the City of Lawton, specifically whether council desires the City to request negotiations to include a possible amendment to the parties' Fiscal Year 2023-2024 collective bargaining agreement, and, if necessary, take appropriate action in open session.

Wilson read the title of item #24.

MOVED by Warren SECOND by Fortenbaugh to authorize staff to initiate negotiations as staff may deem appropriate for the purpose of amending the parties FY 23-24 collective bargaining agreement. AYE: Hankins, Harris, Chapman, Gill, Hampton, Fortenbaugh, Warren. NAY: None. MOTION CARRIED.

There being no further business to consider, the meeting adjourned at 4:42 p.m. upon motion, Second and roll call vote.

STAN BOOKER, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK