

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
MARCH 22, 2005 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF EMPLOYEE OF THE MONTH AWARD TO PAM CARMON, SENIOR CLERICAL ASSISTANT, DRAINAGE MAINTENANCE DIVISION OF PUBLIC WORKS.

PRESENTATION OF 25 YEAR SERVICE AWARDS.

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 MEETINGS OF MARCH 8, 2005.

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 any resolutions authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: A.B. and Helena White in the amount of \$1,089.69 and Iris Lindsay in the amount of \$60.00. Exhibits: Legal Opinions/Recommendations; Resolution No. 05-____. Page
2. Consider the following damage claims recommended for denial: Sylvia Henry in the amount of \$906.50. Exhibits: Legal Opinions/Recommendations. Page
3. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in filing and making payment of the judgment in the Workers' Compensation case of Henry Brad Hardzog in the Workers' Compensation Court, Case No. 2004-14810H. Exhibits: Resolution No. 05-____. Page
4. Consider accepting documents which are needed for the Flower Mound Project #STP-116B (046) [Gore Blvd to Rogers Lane], and authorize the Mayor and City Clerk to execute the proper documents and authorize payments to property owner for all of the items listed below. Exhibits: Documents are on file in the City Clerks Office. Page
5. Consider accepting a Warranty Deed for Lot 3-R, Block 1, Doe Doe Park Development, located in Section Thirty-Six (36), Township Two (2) North, Range Twelve (12) West, and authorize the Mayor and City Clerk to sign the Warranty Deed and a thank you letter to the Green Family Investments, L.P. for their donation of the lot. Exhibits: Warranty Deed and thank you letter are on file in the City Clerk's office, Request letter from Clayton Green, Jr., Location Map. Page
6. Consider approving an Outside Water Sales Contract with Freddie Leon Cannon, and authorize the Mayor and City Clerk to execute the Contract. Exhibits: Contract is on file in the City Clerk's Office. Page

7. Consider accepting documents which are needed for the Flower Mound Project #STP116B (046) [Gore Blvd. to Rogers Lane], and authorize the Mayor and City Clerk to execute the proper documents and authorize payments to property owner for all of the items listed below. Exhibits: Documents are on file in the City Clerk's Office. Page
8. Consider approving the construction plans for a sanitary sewerline located along the east side of the right-of-way at approximately 405 SE 45th Street. Exhibits: Location Map. Page
9. Consider approving Change Order No. 3 assessing liquidated damages, accepting the Lake Helen Access Road Construction Project #2002-6 (ODOT Project No. SAP-116D (090), State Job No. 20464(04) as constructed by Bruton Construction Co., Inc. and placing the Maintenance Bond into effect. Exhibits: None. Page
10. Consider accepting a Quit Claim Deed from the Lawton Urban Renewal Authority for a 24-acre tract located at 701 SW Bishop Road. Exhibits: Quit Claim Deed and Location Map. Page
11. Consider allowing the Parks and Recreation Department to individually co-sponsor with the Lawton Chamber of Commerce and American Legion a series of softball/baseball tournaments for the year 2005. Exhibits: None. Page
12. Consider accepting a grant from the Oklahoma Office of Homeland Security for the purpose of continuing to further enhance security measures and install direct emergency energy supplies in case of disaster or acts of terrorism. Exhibits: Copy of Oklahoma Office of Homeland Security Grant. Page
13. Consider approving a Resolution of Support for preserving the U.S. Department of Housing and Urban Development's (HUD's) Community Development Block Grant (CDBG) Program and authorize the Mayor and City Clerk to execute the resolution and convey it to Oklahoma's Congressional Delegation. Exhibits: Resolution No. 05-____. Page
14. Consider awarding contract for Jail Beverage Products (CL05-034). Exhibits: Department recommendation and Abstract of Bids. Page
15. Consider awarding contract for Heavy Equipment Service and Parts (CL05-037). Exhibits: Department recommendation and Abstract of Bids. Page
16. Consider awarding contract for Water Pipe and Fittings (CL05-036). Exhibits: Department recommendation and Abstract of Bids. Page
17. Consider awarding contract for Police Special Services SUV (CL05-035). Exhibits: Department recommendation and Abstract of Bids. Page
18. Consider awarding contract for 15,000 GVW Cab and Chassis and Beds (CL05-035). Exhibits: Department recommendations and Abstract of Bids. Page
19. Consider awarding contract for Footwear (Safety, Athletic, Walking) (CL05-029). Exhibits: Department recommendation and Abstract of Bids. Page

20. Consider approving the following contract extensions: Electric Motor Repair (CL04-043) with J and W Electric Motor Company – Equipment Maintenance. Exhibits: None Page
21. Consider approval of payroll for the period of February 28 to March 13, 2005. Exhibits: None.

OLD BUSINESS:

22. Consider an ordinance amending Section 15-1-101, Article 15-1, Chapter 15, Lawton City Code, 1995, by deleting, adding and/or changing the definitions for junk vehicle and antique or classic vehicles and renumbering; amending Section 15-5-502, Article 15-5, Chapter 15, Lawton City Code, 1995, by changing the name, providing junk vehicles are prohibited within the City of Lawton unless located totally within a building or in connection with a business located within a properly zoned area, declaring the existence of junk vehicles a public nuisance, establishing a time limit for junk vehicles to be located on private or public property and deleting the section establishing a rebuttable presumption; amending Section 15-5-503, Article 15-5, Chapter 15, Lawton City Code, 1995, by clarifying the prohibition of parking or storage of vehicles in residentially zoned districts or lots occupied by a dwelling unit and clarifying the specific exceptions and establishing conditions and limitations on the storage or parking in front and side yard areas; and repealing Section 15-5-505, Article 15-5, Chapter 15, Lawton City Code, 1995, providing for severability and establishing an effective date. Exhibits: Ord. 05-____, February 22, 2005 City Council Commentary. Page

BUSINESS ITEMS:

23. Hold a public hearing and consider a resolution amending the 2025 Land Use Plan from Agricultural and Residential/Low Density to Commercial and an ordinance changing the zoning from Temporary A-1 (General Agricultural District) to C-5 (General Commercial District) zoning classification located on the west side of NW 82nd Street from Quanah Parker Trailway to the southwest corner of NW Cache Road and NW 82nd Street. Exhibits: Resolution No. 05-____, Ordinance No. 05-____, Location Map, Site Plan, Applications, CPC Minutes. Page
24. Consider adopting Ordinance Number 05-____ repealing and replacing Division 2, Article 2, Chapter 22, Lawton City Code, 1995, establishing a water system capacity fee for all new taps; its application to new and amended water sales contracts: providing standards and criteria for water main extensions and lease-purchase agreements with developers to recover the costs and declaring an emergency. Exhibits: Ordinance No. 05-____, Proposed Fee Schedule, Commentary from October 12, 2004 and extract from minutes, Public Works Development Cost Study dated July 29, 2004 sent under separate cover. Page
25. Consider adopting Ordinance Number 05-____ creating Division 22-3-14, Article 3, Chapter 22, Lawton City Code, 1995, establishing a sewer system capacity fee for all new taps; providing standards and criteria for sewer main extensions and lease-purchase agreements with developers to recover the costs and declaring an emergency. Exhibits: Ordinance No. 05-____, Proposed Fee Schedule, Commentary from October 12, 2004 and extract from minutes, Public Works Development Cost Study dated July 29, 2004 sent under separate cover. Page
26. Consider a resolution creating water and sewer capacity fees in Appendix A, Schedule of Fees and Charges, Lawton City Code, 1995. Exhibits: Resolution No. 05-____. Page

27. Consider approving the over run of unit quantities due to line collapses on the 36” trunk main for the 2004 Sewer “Liner” Project #04-3 SSES with Insituform Technologies. Exhibits: Location Maps of Additional Footages. Page
28. Consider approving an ordinance creating Section 6-5-1-507, Lawton City Code, 1995, by requiring a bond for permits to reconstruct, remodel or demolish structures declared dilapidated, providing for severability, codification and declaring an emergency. Exhibits: Ordinance No. 05-_____. Page
29. Consider adopting an ordinance amending Sections 5-1-101, 5-1-109, 5-1-110, 5-1-112, 5-1-114, 5-1-115, and 5-1-120, Article 5-1, Chapter 5, and amending Section 5-3-301 and 5-3-302, Article 5-3, Chapter 5, Lawton City Code, 1995, by providing for amended definitions, repealing or renumbering of certain sections, providing for confinement of and amendment of fines for animals running at large and for the quarantine of vicious or dangerous dogs, and responsibility for costs incurred, providing for severability, repealer, codification and an effective date. Exhibits: Revised Ordinance Section 5-1-101, 5-1-109, 5-1-110, 5-1-114, 5-1-120 and 5-1-121 of Article 5-1. Article 5-2, section 5-2-204. Article 5-3, section 5-3-301 and 5-3-302 in Chapter 5, Animals, Lawton City Code, 1995. Exhibits: Revised Ordinance. Page
30. Consider an adjustment to Ms. Chung Graham’s utility account for a water leak on her property located at 7109 NW Cache Road. Exhibits: Letter from Chung Graham, Statement dated 1/6/05 from Baker Plumbing and Mechanical Service, Invoice #70853 dated 11/23/04 from Baker Plumbing, Invoice #70956 dated 11/23/04 from Baker Plumbing. Page

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

31. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the consolidated law suit, in the Comanche County District Court, Comanche County Rural Water District No. 1, et al vs. City of Lawton and Lawton Water Authority, Case No. CJ-2003-928; and if necessary, take appropriate action in open session. Exhibits: None. Page
32. Consider convening in executive session pursuant to Section 307B.4, Title 25, Oklahoma Statutes, to discuss a pending action relating to the rezoning of property located at 7615 NW Cache Road; and if necessary, take appropriate action in open session. Exhibits: None. Page
33. Consider convening in executive session Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, to discuss a pending action related to Lake Gondola located in Medicine Park, Oklahoma; and if necessary, take appropriate action in open session. Exhibits: None. Page
34. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the law suit, in the Oklahoma County District Court, City of Lawton vs. Public Employees Relations Board and American Federation of State, County, and Municipal

Employees, Case No. CJ-2004-9617; and if necessary, take appropriate action in open session.
Exhibits: None. Page

35. Consider convening in executive session pursuant to Section 307B.3, Title 25, Oklahoma Statutes, tod iscuss a request to purchase a section of the Quanah Parker Trailway right-of-way, and if necessary, take appropriate action in open session. Exhibits: None. Page

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."