



City of Lawton

City Council

Agenda

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

Tuesday, March 28, 2023

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, amend, strike, or continue any agenda item. 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:

Presentation to Bobby Whitson, who served as the International Festival Committee Chairman from 2003-2022

Presentation of a Mayoral Citation to Lexie Walker, who is currently the only female Chief Meteorologist in Oklahoma

PROCLAMATIONS:

Developmental Disabilities Awareness Month

The Week of the Young Child

Citizen of the Month to Jerry Nottingham

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.

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 approval of the minutes of the Lawton City Council regular meeting of February 28 and the special meeting of March 23, 2023. [23-281](#)
Attachments: [28Feb23](#)
[23Mar23](#)
2. Consider the following damage claim recommended for approval: Rafael Lopez Torres in the amount of \$1,408.67. [23-275](#)
Attachments: [2023-003, Vehicle Accident Neighborhood Services App](#)
3. Consider the following damage claims recommended for denial: Yesenia Garcia in the amount of \$302.82, and Rene Avila in the amount of \$189.00. [23-276](#)
Attachments: [2023-009, Pothole Den](#)
[2023-011 Sewer Backup Plumber History Wipes Den](#)
4. Consider approving an amendment to Council Policy 1-6, Council Rules of Procedure, by establishing requirements on agenda items submitted by City staff, clarifying the City Manager's role in staff submitted agenda items, and updating the required format of agenda items being submitted. [23-255](#)
Attachments: [Council Policy 1-6 DRAFT AMENDMENT](#)
5. Consider approving an amendment to the lease agreement between the City of Lawton and the Lawton Fort Sill Arts Council regarding the property and facility located at 1701 NW Ferris Avenue, and authorizing the Mayor and City Clerk to execute the amendment. [23-228](#)
Sponsors: City Attorney
Attachments: [Proposed 2nd Amendment to Lease Agreement between City of Lawton and Lawton/Ft. Sill Art Council](#)
[First Amendment to Lease Agreement date August 12, 2023](#)
[Original Lease Agreement dated January 14, 2003](#)
6. Consider approving the Record Plat for Rolling Hills Part 5A, accepting the performance bond for minor incomplete improvements, accepting the public water and sanitary sewer improvements, accepting the maintenance bond public improvements, and accepting the easements outside the platted boundary. [23-266](#)
Attachments: [ROLLING HILLS DEV PART 5A \(Revised\)](#)
[03.9.23 Special CPC Minutes](#)
[Perm Util Esmt Sewer 1](#)
[Perm Util Esmt Sewer 2](#)
[Perm Util Esmt Waterline 1](#)
[Perm Util Esmt Waterline 2](#)
[Perm Drainage Easement Lot 29 B11](#)
[Perm Drainage Easement Mobile Home Tract](#)

7. Consider adopting a Resolution authorizing the installation and/or removal of traffic control measures at St. Mary's Catholic School, 12 SW 7th Street, Eisenhower Neighborhood Pool/Park at SW Drakestone and SW Chaucer Avenues, and at NW 38th Street and Rogers Lane. [23-264](#)

Attachments: [Minutes Traffic Commission 3-16-23](#)
[TC 23-9 Wolcott NO U TURN Rogers Lane 38th](#)
[TC 23-5 MITCHELL CAP Drakestone Chaucer](#)
[TC 23-1 St Mary School Zone](#)
[Resolution No. 23- 3-28-23](#)

8. Consider approving Amendment No. 2 to the November 16, 2021, agreement with Jacobs Engineering for additional services during construction related for the Cache Road Waterline Replacement Projects in the amount of \$450,000. [23-191](#)

Attachments: [Lawton SDC Amendment LOE Rev5.pdf](#)
[Amendment No. 2 CacheRdWaterline Rev5.pdf](#)

9. Consider approving plans and specifications for the 2017 Ad Valorem Street and Roads Program (Residential), Phase II-B - Project No. EN1707P2B and authorizing staff to advertise for bids. [23-270](#)

10. Consider accepting Parking Lot (Earthwork, Paving and Walks and Landscape) portion of the Project EN2004A City-Hall Renovation Amendment No. 1 (GMP No.1) as complete and releasing retainage for same as per OS Title 61 § 226.C in the amount \$17,689.43 and placing the Maintenance Bond into effect. [23-174](#)

Attachments: [EN2004A PA5 Revised with note_Recommended.pdf](#)
[Substantial Completion - Lawton City Hall West Parking Lot.pdf](#)
[AIC 23-174 - Project EN2004A City-Hall Renovation Amendment No. 1 \(GMP No.1\) .doc](#)
[Maintenance Bond-Parking Lot Portion.pdf](#)
[0126a Cond Final Bedrock FE.pdf](#)
[0126a Cond Final Jenkins FE.pdf](#)

11. Consider awarding contract (CL23-016) Mowing and Litter Control to the lowest and most responsible bidders. [23-259](#)

Attachments: [Dept Recommendation](#)
[Abstract of Bids](#)
[Price Sheets](#)
[Contract CL23-016](#)

UNFINISHED BUSINESS:

12. Consider directing staff to demo the city owned property located at 911 SW C Avenue. [23-219](#)
Attachments: [WD 911 SW C Ave](#)
13. Receive a notification of the approval of the Change Order No. 3 by the City Manager for the Gore Blvd. Waterline and Sewerline Reconstruction - 82nd ST to 67th ST- Project No. EN1208A. [23-257](#)
Attachments: [Lawton, OK Code of Ordinances 10-1-110.2C.pdf](#)
[Project No EN1208A - Change Order 3.pdf](#)
14. Consider recommendations to improve the function of the Traffic Commission and direct staff as deemed necessary. [23-271](#)
Attachments: [Novak 92 and 93.pdf](#)
15. 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. [23-180](#)
Attachments: [Council minutes from 3.28.06.pdf](#)
[Council Minutes from 4.11.06.pdf](#)
[4.11.2006 Agreement COL Comanche Nation Lawrie Tatum Signals.pdf](#)
[Traffic Impact Study 2005 Summary.pdf](#)

BUSINESS ITEMS:

16. Hold a public hearing to receive citizen comments on the FFY 2021 COL HOME-ARP Allocation Plan. Consider reviewing and approving the FFY 2021 COL HOME-ARP Draft Allocation Plan submitted through the Housing & Community Development (HCD) Office and authorize the Mayor to sign the required documents. [23-273](#)
17. Hold a public hearing and adopt a resolution declaring the structures located at 337 SW 71st Street, 713 SW A Avenue, 760 NW 16th Street, 1306 SW 6th Street, 1705 NW Lindy Avenue, 1707 NW Baldwin Avenue, 1814 NW Lawton Avenue, 1818 NW Pollard Avenue, 2105 NW Bessie Avenue, 2205 NW Pollard Avenue, 2311 SW Cornell Avenue, 2603 SW I Avenue, to be dilapidated pursuant to Section 6-5-1 Lawton City Code, ordering the owner to abate the nuisance, authorizing summary abatement, and authorizing the City Attorney to commence legal action in District Court to abate the nuisance. [23-151](#)
Attachments: [Photos](#)
[Resolutions](#)
[Exhibit A](#)

18. Receive an update for the Main Building Package Cost on Project EN2004A City Hall Renovation [23-253](#)
Attachments: [EN2004A GMP 2 presentation.pdf](#)
19. Discuss and receive input from citizens on the allocation of \$6,005,504 in the CIP 2019 Sales Tax Funds (Propel) over the annual estimate of \$23,500,000. [23-277](#)
Attachments: [Resolution 22-59.pdf](#)
20. Consider receiving a presentation on the water and sewer line construction needs and authorize staff to send request for qualification (RFQ) for Engineering Design Services and authorize staff to seek potential loans to support the project funding using the unobligated ½ cent 2019 Propel Water and Sewer designated funds as the repayment means of the 30-year loans [23-222](#)
Attachments: [Presentation 3-28-23.pptx](#)
21. Consider directing staff to look at options to increase low-cost and no-cost family-friendly activities sponsored by the City of Lawton, and take any action deemed necessary. [23-269](#)
Attachments: [Ft Sill Request for No or Low-cost Family Amenities](#)
22. Consider approving a resolution amending the City of Lawton FY 2022-2023 budget, as amended, by appropriating \$1,017,335 to the General Fund for the purpose of applying the settlement funds (less attorney fees) from the Engie litigation and the remaining escrow funds towards the principal of the lease. [23-248](#)
Attachments: [03.28.23 Engie Settlement Resolution](#)
23. Subject to the approval of a companion budget amendment, consider approving an Amendment Number 4 to the Equipment Lease/Purchase Agreement Banc of America Public Capital Corp. for the purpose of applying the settlement funds [less attorney fees] from the Engie litigation and the remaining escrow funds towards the principal of the lease, thereby reducing the payment term and will causing the lease to be satisfied on November 15, 2027, i.e. approximately 57 months early from the original August 15, 2032 final payment date; amending the definition of equipment; acknowledging acceptance of the equipment for purposes of financing the same under the agreement, authorizing the Mayor to execute Amendment No. 4 and any other documents necessary to effectuate the Amendment. [23-268](#)
Attachments: [Lawton Amendment 4](#)
[Original Payment Schedule](#)

24. Consider updating the Urban Renewal Plans for the City of Lawton and direct staff as necessary. [23-254](#)

Attachments: [D-6 URP](#)

[Downtown I URP](#)

[Civic Center URP](#)

[URP Map](#)

[Article 18-12 DOWNTOWN LAWTON OVERLAY DISTRICT](#)

25. Consider approving a conceptual plan for the south City Hall lawn to address the drainage and erosion problems, and authorizing the staff to execute the project. [23-256](#)

Attachments: [City Hall Drainage Design 1](#)

26. Consider receiving a report on the current status of the municipal pool and wading pools and giving staff direction for the 2023 summer season. [23-214](#)

Attachments: [Aquatics Status Presentation](#)

[AIC 23-214 - Pool Opening.doc](#)

[Draft Parks and Recreation Commission Meeting Minutes 2.27.23](#)

[Lawton Pool Evaluation](#)

STAFF REPORTS:

EXECUTIVE SESSION ITEMS:

27. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss an action relating to litigation against the manufacturers, distributors and retailers of opioids in an effort to hold them accountable for their marketing practices alleged to have caused public nuisance and monetary damages suffered by municipalities, to include considering approving settlements with: (1) Walgreens, (2) CVS, (3) Walmart, (4) Allergan and (5) Teva, and if necessary, take action in open session. [23-223](#)
28. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending action in Comanche County District Court titled Kent Williams as Personal Representative of the Estate of Israel Williams vs City of Lawton, et al, CJ-2022-613, and if necessary, take appropriate action in open session. [23-237](#)
29. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss particular candidates who have submitted applications for the position of city manager, and, if necessary, take appropriate action in open session. [23-280](#)

30. 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, to include discussions concerning a possible amendment to the parties' Fiscal Year 2023-2024 collective bargaining agreement, and, if necessary, take appropriate action in open session. **23-287**
31. 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, to include discussions concerning a possible amendment to the parties' Fiscal Year 2023-2024 collective bargaining agreement, and, if necessary, take appropriate action in open session. **23-288**

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."