



City of Lawton

City Council

Minutes

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

Tuesday, June 11, 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 BY MAYOR STANLEY BOOKER WITH INVOCATION
LED BY WYNONNA ALBERTY FOLLOWED BY THE PLEDGE OF ALLEGIANCE**

ROLL CALL

Present: Mary Ann Hankins, Ward 1
Kelly Harris, Ward 2
Linda Chapman, Ward 3
George Gill, Ward 4
Allan Hampton, Ward 5
Bob Weger, Ward 6
Sherene L Williams, Ward 7
Randy Warren, Ward 8

Absent: None

Also Present: Stanley Booker, Mayor
John Ratliff, City Manager
Timothy Wilson, Interim City Attorney
Donalynn Blazek-Scherler, City Clerk

PRESENTATION:

True North Award – Tiffany Bechtel

PROCLAMATION: Presented by Councilman Randy Warren

National Safe Digging Month

Animal Care and Control Appreciation Week

National Telecommunicators' Week

National Sexual Assault Awareness Month

National Donate Life Month

Citizen of the Month: Bishop John Dunaway

REPORTS: MAYOR/CITY COUNCIL

Hankins is celebrating the successful demolition of a house in her ward. She assured the citizens that the roads in northwest Lawton have not been forgotten.

Gill chimed in on the streets discussion, stating that Mayor Booker's "10 Wins" initiative will bring the total number of wins to 50, benefiting the citizens. It was also noted that 15 more streets have been approved for work as part of the ongoing improvements. He went into detail about the selection process for the streets, explaining why certain streets were prioritized for work.

Hampton spoke on the Farmer's Market and Open Streets.

Weger spoke on Darien's Voice Egg Hunt.

Williams informed everyone that tomorrow, April 10th, is National Siblings Day. She also highlighted that KLaw is celebrating its 45th anniversary, and she mentioned the upcoming Ward 7 meeting on April 18th, 2024. Additionally, she shared that her birthday is this Friday.

COL Peay change in command.

Harris spoke on tribal issues with Westwin.

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.

Kasa Whitley, 7902 NW Echo Rd, concerned about the dumping in the water at East Cache Creek. City Manager gave her contact info.

Richard Baxter, 2012 SW B Avenue, questioned why a residential area is being rezoned to commercial, noting that it is listed as an agenda item for discussion.

Gerald Warren, 2418 NW 80th St, spoke on Comanche County Coin Show.

Pro Tem Mayor, Randy Warren, stated items #2, #4, and #14 will be considered separately.

Motion by CHAPMAN, Second by HARRIS, to approve the consent agenda with the exception of items #2, #4, and #14. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

CONSENT AGENDA:

1. Consider approving two (2) damage claims (recommended for approval) and resolutions authorizing payments for Rebekah Carne and Angela Shears in the amount of \$1,100.00, and Deaderick and Kemerly White in the amount of \$2,849.25.
2. Consider adopting a Resolution authorizing the Traffic Control measures with the installation of STOP signs on NW 6th Street at Columbia Ave and remove the STOP signs eastbound and westbound on Columbia Avenue.

Joe Painter, Director of Engineering, stated this was brought to the attention of Traffic Commission for review.

Hampton went into detail about the item and some different options and asked for it to be tabled indefinitely.

Motion by HAMPTON, Second by GILL, to table this item indefinitely. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

3. Consider approving a resolution amending the City of Lawton FY23-24 budget, as amended, by appropriating \$11,000.00 from the Special Revenue Fund (Fire Training Court Costs) to Fire Operation's Training and Travel (2007501-52060) for the purpose of training opportunities and \$4,000.00 from the Special Revenue Fund (Fire Training Court Costs) to Fire Operation's Dues and Memberships (2007501-52055) for the purchase of required EMT certification tests.

4. Considering approving a resolution amending the City of Lawton FY

2023-2024 budget, as amended, by appropriating \$1,378,775.01 to the 2019 CIP Sales Tax Fund and \$241,349.43 to the Lawton Water Authority Fund for Oklahoma Water Resources Board loan payments.

Kristin Huntley, Deputy Finance Director, stated these are loans that were previously approved but not included in the budget for the payments and they need to make the payments in turn they need the budget amendment to do so.

Beckey Lechey, 7132 NW Birch Place, spoke about the consent decrees and the Wastewater Treatment Plant (WWTP), expressing a desire to know where the money from these loans has been allocated and how it has been spent.

Gill asked when is the payment due and what's the penalty if not paid on time.

Huntley stated that the payments have already been made to ensure they wouldn't be late, but a budget amendment is still needed to prevent overspending in other areas.

Motion by **HARRIS**, Second by **HANKINS**, to approve a resolution amending the City of Lawton FY 2023-2024 budget, as amended, by appropriating \$1,378,775.01 to the 2019 CIP Sales Tax Fund and \$241,349.43 to the Lawton Water Authority Fund for Oklahoma Water Resources Board loan payments. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

5. 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 2019-2020 Biennial Supplement, known as Supplements No. 5 and 6 to the Lawton City Code, 2015, and authorizing distribution.

6. Consider approving a resolution directing the City Clerk to notify the public of the publication of the 2019-2020 Biennial Supplement, known as Supplements No. 5 and 6 to the Lawton City Code, 2015 and further directing the City Clerk to file certified copies of this resolution and copies of Supplements No. 5 and 6 to the Lawton City Code, 2015 with designated governmental entities as required.

7. Consider acknowledging receipt of permit number WL000016230748 for the construction of PU2204 Meadowbrook & PU2213 67th St & Bishop Rd

Water Lines from the Oklahoma Department of Environmental Quality.

8. Consider acknowledging receipt of permit number WL000016240030 for the construction of PU2308 Map 09 Waterlines Project from the Oklahoma Department of Environmental Quality.

9. Consider acknowledging receipt of permit number WL000016230990 for the construction of PU2306 Industrial Water Main Extension Phase 1 from the Oklahoma Department of Environmental Quality.

10. Consider and take action in accepting and authorizing Mayor to sign a Right of Entry Permit from the Commissioners of the Land Office to drill test holes for potential water wells.

11. Consider approving a limited support agreement between the City of Lawton and the Lawton Metropolitan Area Airport Authority, contingent upon the Lawton Metropolitan Area Airport Authority also approving the agreement, to provide funding to be used solely for legal expenses related to Fire Station #2 located on airport grounds, and authorize the Mayor and City Clerk to execute the agreement.

12. Consider and award a contract in the amount of \$4,371,020.00 to Horseshoe Construction, INC, for the construction of Sub-Basin 104-PU1306, 105-PU1410, & 106-PU1414 to replace approximately 33,000 linear feet of 8 and 10-inch gravity sewer lines.

13. Consider extending contract RFPCL22-003 Utility Billing & Invoice Services to DataProse, LLC. of Coppell, TX, for an additional year.

14. Consider and take action in approving an agreement with Republic Paperboard Company LLC, to implement new water, sewer, and solid waste rates with a retroactive effective date of April 1st, 2024.

Rusty Whisenhunt, Director of Public Utilities, explained that the existing contract with RPC doesn't expire until June 2025. With guidance from the council, Rusty and City Manager John Ratliff met with RPC to discuss adjusting their water rates, as the current rates have been unusually low for many years. He then provided further details regarding the discussions and the need for the adjustment.

David Reeves, 1919 NW Canyon, expressed his concerns about the delivery of this item and

transparency.

Ratliff stated getting back to the agenda item he thinks it's a huge win for the citizens.

Warren agreed with Ratliff's statement.

The Council then engaged in further discussion on the topic.

Motion by HANKINS, Second by WILLIAMS, to approve an agreement with Republic Paperboard Company LLC, to implement new water, sewer, and solid waste rates with a retroactive effective date of April 1st, 2024. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

15. Consider approving appointments to boards and commissions.

BUSINESS ITEMS:

16. Hold a public hearing to consider a request for a Use Permitted on Review to allow a dormitory-style shelter for homeless youth within a Public Facility (P-F) district for property located at 714 SW 45th Street, Lawton, OK 73505 and take appropriate action as deemed necessary.

Kameron Good, Senior Planner, presented information on the agenda item.

PUBLIC HEARING OPENED.

Leon Reynolds, 734 SW 45th St, stated he thinks it's going to affect all of the country club. He lives right next door. He wants them to find a different building. He also spoke on the Neighborhood Watch.

Gerold Warren, 2418 NW 80th St, questioned if these are American children, foreign children or a mix.

Susan Seacor, 1609 SW Sanders Circle, 800-1,000 homeless children. She stated it's much needed in Lawton.

Leann Enderly, 316 NW 32nd St, talked about traffic in her neighborhood, a speed bump in the wrong place, concerns unaddressed.

Bernita Taylor, 26th NW Sandy Trail Lane, in neighborhood since 2012. Owner of the facility in

question. The teenagers they work with come from LPS. No child from the facility has ever done anything in the neighborhood. They want to give the kids a safe place to thrive.

James Taylor, 26th NW Sandy Trail Lane, 800 homeless in Lawton Public Schools. Homeless doesn't equal troubled.

Spencer Brown, 8225 Stonebridge Court, he started the S212 Project in 2017 when he was a student his self.

PUBLIC HEARING CLOSED.

Chapman expressed she agrees with the statements.

Motion by **CHAPMAN**, Second by **HANKINS**, to approve it with the condition of the sidewalks being installed on the frontage. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Warren. NAY: Williams. *Motion Passed.*

17. Hold a public hearing to consider a rezoning request from Builders Investment Group for a change of zoning from the R-1 Single-Family Dwelling District to R-2 Two-Family Dwelling District zoning classification for the property located at 1815 SW Jefferson Avenue Lawton, OK 73501 and take appropriate action as deemed necessary.

Kameron Good, Senior Planner, presented information on the agenda item.

Harris asked if these were the same as the others that had just been built.

Good stated the duplexes and they built some cottages over there as well.

Williams noted the people that's watching, Ward 7, this is in the Lawton view area.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

Motion by **HARRIS**, Second by **WILLIAMS**, to an ordinance changing the existing zoning classification from R-1 Single Family Dwelling District to R-2 Two-Family Dwelling District zoning classification on the tract of land here and after more particularly described in section 1 hear of authorizing changes to be made upon the official l zoning map in accordance with this ordinance.

AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Warren, Williams. NAY: None. *Motion Passed.*

18. Hold a public hearing and consider rezoning request from Arkeketa Enterprises, Inc for an amendment to the 2030 Land Use Plan from Residential/High Density to Commercial for the properties located at 2102 SW A Avenue & 2101 SW B Avenue, Lawton, OK, 73501 and take appropriate action as deemed necessary. **STRICKEN**

19. Hold a public hearing and consider rezoning request from Arkeketa Enterprises, Inc for a change of zoning from R-4 High-Density Apartment District to C-5 General Commercial District zoning classification for the properties located at 2102 SW A Avenue & 2101 SW B Avenue, Lawton, OK, 73501 and take appropriate action as deemed necessary. **STRICKEN**

20. Consider approving the record plat for Replat of Lots 4, 5, 6 & 7, Block 18, Radio City Addition and the waiving of City Code Section 21-5-501.I requiring an additional ten feet of street right-of-way along the abutting section line road (SW Sheridan Road) and take appropriate action as deemed necessary.

Christine James, Planning Director, presented information on the agenda item.

Motion by GILL, Second by HAMPTON, to an approving the record plat for Replat of Lots 4, 5, 6 & 7, Block 18, Radio City Addition and the waiving of City Code Section 21-5-501.I requiring an additional ten feet of street right-of-way along the abutting section line road (SW Sheridan Road) AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Warren, Williams. NAY: None. *Motion Passed.*

21. Consider amending the FFY 2021-2025 COL Consolidated Plan by transferring Neighborhood Stabilization Program (NSP) Income from Account 2604515 to Account 2604512-52090 to be utilized in the Community Development Block Grant (CDBG) Program for approved CDBG Projects and following all CDBG rules and regulations.

Gary Brooks, Housing Development Admin, presented information on the agenda item.

Williams asked which area of Lawton the Neighborhood Stabilization Program grant money was applied to.

Brooks stated it was a little bit all over Lawton.

Williams asked if there was any in Ward 7.

Brooks said he didn't see any off the top of his head.

Hankins asked if the funds from the Neighborhood Stabilization Program could be used in various areas throughout Lawton.

Brooks responded, "Absolutely."

The Council then engaged in further discussion on the topic.

Motion by HANKINS, Second by GILL, to amend the FFY 2021-2025 COL Consolidated Plan by transferring Neighborhood Stabilization Program (NSP) Income from Account 2604515 to Account 2604512-52090 to be utilized in the Community Development Block Grant (CDBG) Program for approved CDBG Projects and following all CDBG rules and regulations. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Warren, Williams. NAY: None. *Motion Passed.*

22. Consider approving an ordinance pertaining to Administration, creating Section 2-3-20-404 and Division 2-3-20 in Article 2-3, Chapter 2, Lawton City Code, 2015, relating to Boards, Commissions and Committees by establishing the Veterans Affairs Committee, setting forth membership, duties and purpose; providing for severability and establishing an effective date.

Ratliff stated that this was the direction that council gave to us last time to come back with an ordinance creating this committee.

Motion by CHAPMAN, Second by WILLIAMS, to an ordinance pertaining to Administration, creating Section 2-3-20-404 and Division 2-3-20 in Article 2-3, Chapter 2, Lawton City Code, 2015, relating to Boards, Commissions and Committees by establishing the Veterans Affairs Committee, setting forth membership, duties and purpose; providing for severability and establishing an effective date. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Warren, Williams. NAY: None. *Motion Passed.*

23. Provide City Council with a presentation on a public portal for reporting stormwater drainage issues and take action as City Council deems appropriate.

Bryce Callies with Garver gave a presentation over the agenda item.

Chapman asked City Manager, John Ratliff, when the mowings start with these drainage areas and when will we have a better handle doing it quicker this spring and summer.

Ratliff stated it's already started and we've already entered into contracts with several vendors, more than last year.

Mayor Booker asked if we needed to take action on this.

Callies stated no action necessary.

The Council then engaged in further discussion on the topic.

Ratliff explained there has been a lot of discussion today about creeks, drainage, and potentially stagnate bodies of water. He asked Callies if he could see in his analysis of our Stormwater drainage plant, if he uncovered that.

Callies stated the last one done was in 2003, so they've had time to look over it. There are a lot of recommendations in that old plan, that still haven't found the funding to get those things done. However, he's hopeful that it's a kickstart.

NO ACTION.

STAFF REPORTS:

24. Provide City Council with an update on the FY 2022 & FY 2023 Audit Process.

Kristin Huntley, Deputy Finance Director, presented an updated on the FY 2022 & FY 2023 Audit process.

Huntley stated that we do not have an audit due to some unforeseen circumstances. However, there is a management call in the morning.

Ratliff asked Huntley for clarification – the FY 22 audit is looking to be potentially Friday.

Huntley stated Friday at the earliest but more than likely Monday.

The Mayor and Council convened in executive session at 3:54 PM and reconvened in regular, open session at 4:32 PM. Roll call reflected all members.

EXECUTIVE SESSION ITEMS:

25. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss potential litigation and condemnation suit against the real property owners for property needed for the Wolf Creek Bridge Project # EN2204, as authorized by Resolution No. 24-061, and take appropriate action in open session.

Wilson read the title of item #25. NO ACTION TAKEN.

Motion by GILL, Second by HARRIS, to approve Resolution 24-025. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

26. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending action with Oklahoma Department of Environmental Quality concerning a Notice of Violation issued by ODEQ to the City on February 14, 2024, in relation to the City of Lawton Municipal Solid Waste Landfill and the FY 2022 and FY 2023 financial assurance mechanism update, local government test, not having been submitted by December 31, 2022 and December 31, 2023, respectively, and, if necessary, take appropriate action in open session.

Wilson read the title of item #26. NO ACTION TAKEN.

27. Pursuant to 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 Isaac 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

Gill stated upon the name defendant, Stetson Horn, having made a request for representation and upon finding by the city council that Horn was acting in good faith and in the course of his employment, I move to authorize a representation of Horn and waive the contract fee processing requirements in city code and council policy and direct the acting City Attorney to contract with an outside law firm as be necessary to provide representation for Horn with any such representation to be retroactive to February 23rd 2024.

Motion by GILL, Second by HARRIS, to upon the name defendant, Stetson Horn, having made a request for representation and upon finding by the city council that Horn was acting in good faith and in

the course of his employment, I move to authorize a representation of Horn and waive the contract fee processing requirements in city code and council policy and direct the acting City Attorney to contract with an outside law firm as be necessary to provide representation for Horn with any such representation to be retroactive to February 23rd 2024. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Warren, Williams. NAY: None. *Motion Passed.*

28. 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 Christopher Hartley v City of Lawton, et al, Case number CIV-24-153-J, and if necessary, take appropriate action in open session.

Wilson read the title of item #28. NO ACTION TAKEN.

ADJOURNMENT 4:35 PM

Motion by GILL, Second by HAMPTON, to adjourn the meeting of April 9th, 2024. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

There being no further business, the meeting adjourned at 4:35 p.m.

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."