

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
APRIL 12, 2011 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETING OF MARCH 22, 2011.

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 claim recommended for denial: Frank and Beverly Lessing in the amount of \$2,500.00. Exhibits: Legal Opinion/Recommendation. Page 1
2. Consider approving a Second Amendment to the Trust Indenture of the Lawton Enhancement Trust Authority, and authorize execution of the Second Amendment. Exhibits: Second Amendment to Trust Indenture of the Lawton Enhancement Trust Authority. Page 5
3. Consider accepting the transfer of the Lawton Armory from the Oklahoma National Guard to the City of Lawton, and authorize the City Manager to proceed with the transfer sequence outlined in the March 21, 2011, letter from the State of Oklahoma Military Department. Exhibits: Letter to City Manager from State of Oklahoma Military Department. Page 9
4. Consider approving the Adopt-a-Park/Street Program application and agreement. Exhibits: Adopt-A-Park Application and Agreement, to include the criteria and safety tips. Page 12
5. Consider approving a request from the mission's organization of Dayspring Community Church to have the fees waived for using the Bridge Park facility to serve food and distribute clothing to the community on Saturdays from April – November. Exhibits: Letter of request from mission's organization of Dayspring Community Church. Page 15
6. Consider terminating the agreement between the City of Lawton, Oklahoma, and the Board of County Commissioners of the County of Comanche, Oklahoma, et al; Pictometry International, Corp. Exhibits: Agreement between the City of Lawton and Comanche County, 27th day of October, 2009 and proposed letter of termination. Page 17

7. Consider approving a credit adjustment in the amount of \$647.77 for one month's bill to Tina Lowry's service account #00026757 for the property located at 412 NW 19th Street for an undetected, underground leak on the customer's service line. Exhibits: Invoice from Bob Steele Plumbing dated 12/29/10 and Invoice from Shields Plumbing dated 1/11/11. Page 23
8. Consider adopting Street Light Resolution No. 470 to authorize the installation/removal of street lights at the location listed in the Resolution. Exhibits: Street Light Resolution No. 470. Page 25
9. Consider authorizing staff to enter into an agreement with Hydro International to evaluate the performance of the Eutek Headcell Grit Removal Pilot System. Exhibits: Agreement is on file in the City Clerk's Office. Page 28
10. Consider authorizing the Mayor to execute a Release and Hold Harmless Agreement for the electronic version of the plans for the West Gore Boulevard (67th to 82nd) Project #2000-27. Exhibits: None. Page 29
11. Consider extending (RFPCL09-038) Non Exclusive Recycle Center Operations with Horn Sanitation for a period of six months or the award of a new contract, whichever occurs first, and authorize staff to prepare a new RFP (Request for Proposals) for advertisement of a new contract. Exhibits: Horn Sanitation letter Dated: March 23, 2011 and Horn Sanitation letter Dated: April 1, 2011. Page 30
12. Consider acknowledging receipt of a permit for the construction of sewer lines from the Oklahoma Department of Environmental Quality to serve the NW 82nd Street Sanitary Sewer Line Project #2010-4, City of Lawton, Comanche County, Oklahoma. Exhibits: Permit to Construct dated March 11, 2011. Page 33
13. Consider acknowledging receipt of amended permits for the construction of waterlines and appurtenances from the Oklahoma Department of Environmental Quality to serve the 2008 CIP Waterline Replacement Phases 1 and 2 Project #2008-12 and 2008 CIP Waterline Replacement Phase 3 Project #2010-1, City of Lawton, Comanche County, Oklahoma. Exhibits: Amended Permits to construct dated December 30, 2010, and January 10, 2011. Page 34
14. Consider adopting a Resolution of Necessity for real property acquisition for the NW 82nd Street Sewer Line Project #2010-4. Exhibits: Resolution 11-____. Resolution 11-____ with Exhibit "A" is on file in the Engineering Division Office. Page 35
15. Consider accepting a permanent easement from Don C. & Beverly A. Wooley for right of way needed for the NW 82nd Street Sewer Line Project #2010-4, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Document is on file in the City Clerk's office. Page 40

16. Consider approving the record plat for Boyles Landing, Section 4, and accepting the improvements, and maintenance bond. Exhibits: Plat Map. Maintenance Bond is on file in City Clerk's Office. Page 41
17. Consider approving the construction plans for an 8-inch waterline to serve King Fireworks Retail Outlet located at 5202 SW 11th Street. Exhibits: Location Map. Page 43
18. Consider granting a revocable permit for parking and maneuvering on the right-of-way of SE Elmhurst Lane adjacent to Sullivan Village Elementary School located at 3802 SE Elmhurst Lane. Exhibits: Revocable Permit (on file in City Clerk's Office), Application, Location Map, Site Plan and Letter from LPS. Page 45
19. Consider extending (CL10-035) Mowing & Littering Contract Areas B,D, & E to Teen Challenge of Oklahoma, from Cache, OK. Exhibits: Department recommendation, Contract Extension Form. Page 51
20. Consider extending (CL10-032) Nuisance Abatement – East Side to JM Lawn Services of Lawton, OK. Exhibits: Department recommendation, Contract Extension Form. Page 55
21. Consider awarding (CL11-016) Self-Contained Breathing Apparatus (SCBA) to Wayest Safety Inc. of Oklahoma City, OK. Exhibits: Department Recommendation, Abstract of Bids. Page 59
22. Consider awarding (CL11-019) Wrecker Service to Priest Brothers from Lawton, OK. Exhibits: Department Recommendation, Abstract of Bids. Page 76
23. Consider extending (CL10-038) Topsoil, item 1a (Delivered) to Ballou Topsoil of Elgin, OK. Exhibits: Department recommendation, Contract Extension Form. Page 84
24. Consider extending (CL10-038) Topsoil, item 1b (yard pick up) to Beaver Creek Tractor Service of Cache, OK. Exhibits: Department recommendation, Contract Extension Form. Page 87
25. Consider extending (CL09-046) Heavy Wrecker Service to Alford's Truck & Wrecker of Lawton, OK. Exhibits: Department recommendation, Contract Extension Form. Page 90
26. Consider awarding (CL11-015) Agricultural Leases to named parties on attached memo from City Attorney. Exhibits: Department Recommendation, Abstract of Bids. Page 94
27. Consider approving appointments to boards and commissions. Exhibits: None. Page 105
28. Consider approval of payroll for the period of March 21 – April 3, 2011.

NEW BUSINESS ITEMS:

29. Hold a public hearing and consider a resolution amending the 2030 Land Use Plan from Public Facility and Professional Office/Transition to Commercial and Residential/High Density and an ordinance changing the zoning from R-1 (Single-Family Dwelling District) and P-O (Professional Office District) to C-3 (Planned Community Shopping Center District), C-1 (Local Commercial District), and R-3 (Multiple-Family Dwelling District) zoning classification located at the southeast corner of NW 67th Street and Rogers Lane. Exhibits: Resolution No. 11-____, Ordinance No. 11-____, Site Plan, Location Map and CPC Minutes. Page 107
30. Consider adopting a resolution approving proposed amendments to the Charter of the City of Lawton to be voted on by the citizens of the City. Exhibits: Resolution No. 11-____. Page 122
31. Consider adopting a resolution calling for a special election to be held on June 14, 2011, to consider the approval or rejection of amendments to the Charter of the City of Lawton as specifically set forth in the resolution. Exhibits: Resolution No. 11-____. Page 130

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.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

32. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending case of Timothy and Rosemary Reed vs. City of Lawton, CJ-2008-1381, and if necessary, take appropriate action in open session. Exhibits: None. Page 144
33. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending lawsuit in the United States District Court for the Western District of Oklahoma, Jason Wells v. City of Lawton, et al., Case No. CIV-09-1354-D, and if necessary, take appropriate action in open session. Exhibits: None. Page 145
34. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2011-2012 between the Police Union, IUPA Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None. Page 146

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."

