

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
APRIL 13, 2010 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION TO LAWTON POLICE DEPARTMENT FROM MIDDLE LEAP CLASS
FROM EISENHOWER MIDDLE SCHOOL

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 REGULAR
MEETINGS OF MARCH 9 AND MARCH 23, 2010.

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 the resolutions authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Helen and Danny Self in the amount of \$500.00, Jonathan Timms in the amount of \$1,822.96, and Ricky and Theresa Perrin in the amount of \$1,200.00. Exhibits: Legal Opinions/Recommendations, Resolution No.____, Resolution No.____, Resolution No.____. Page 1
2. Consider the following damage claim recommended for denial: Alisha Peckinpaugh in the amount of \$1,243.81. Exhibits: Legal Opinion/Recommendation. Page 14
3. Consider approving a new lease agreement between the Robert E. Greiner School for the Handicapped and the City of Lawton for the use of leased premises located at 10 SE 'B' Avenue for the care and education of disabled persons, and waiving past rent in the amount of \$1,020.00 in consideration of past repairs and/or maintenance to the leased premises. Exhibits: Lease Agreement is on file in the City Clerk's Office. Page 17
4. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in directing our third party administrator to make payment on the judgment in the Workers' Compensation case of Eddie Dean Roberson in the Workers' Compensation Court, Case No. 2009-00293R. Exhibits: Resolution No. 2010-____. Page 18
5. Consider approval of the Retainer Agreement for Professional Services with Jennifer Cargill, to provide professional services to the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement. Page 21
6. Consider approving the recommendation for a request of The Compassionate Friends organization requesting approval of the construction and location of a Children's Memorial at Elmer Thomas Park to be sponsored by the Compassionate Friends organization. Exhibits: Letter from The Compassionate Friends and Park Map for the Memorial Site. Page 24

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7. Consider approving the lease agreement between the City of Lawton and the Comanche County Nutrition Project Authority. Exhibits: Lease Agreement. Page 26
8. Consider awarding a construction contract to S Construction, Inc. for the Intermodal Transportation Museum Project (F.A. Project No. STP-116E(130)EH). Exhibits: Bid Tabulation, Project Map, Award Recommendation and ODOT Letter of Concurrence. Page 30
9. Consider releasing the performance bond for street and drainage improvements in Dove Creek Addition, Part 2, and accepting street and drainage improvements and maintenance bond. Exhibits: Plat Map. Maintenance Bond on file in City Clerk's Office. Page 35
10. Consider approving an agreement with Stearns, Conrad and Schmidt Consulting Engineers, Inc. d/b/a SCS Engineers for professional engineering services for the Landfill Gas to Energy Feasibility Study Project #2010-5. Exhibits: Agreement is on file in the City Clerk's office. Page 37
11. Consider accepting a professional services agreement with Karol S. Zea of Zea Company, Incorporated for appraisal services, and authorize the Mayor and City Clerk to execute the agreement. Exhibits: Professional Services Agreement is on file in the City Clerk's office. Page 38
12. Consider accepting a warranty deed and a temporary easement from Vickie N. Barney, Trustee of the Vickie N. Barney Revocable Trust for right of way needed for the NW 38th Street (Gore Blvd. to Cache Road) Project #2006-7, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Warranty deed and temporary easement are on file in the City Clerk's office. Page 39
13. Consider adopting a Resolution authorizing the installation of traffic control measures on SE Caber Circle at the intersection of SE Aberdeen Avenue. Exhibits: Traffic Commission Minutes, Traffic Issue Requests, and Resolution No. 10-____. Page 40
14. Consider extending (RFPCL08-063) Workers Comp Admin Services to United Safety & Claims, Inc of Tulsa, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 47
15. Consider awarding (CL10-032) Nuisance Abatement-East Side to JM Lawn Services of Lawton, OK. Exhibits: department recommendation, abstract of bids. Page 51
16. Consider extending (RFPCL06-055) HVAC Services to Johnson Controls of Oklahoma City, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 54
17. Consider approval of payroll for the period of March 22 – April 4, 2010.

NEW BUSINESS ITEMS:

18. Discuss a proposal to amend the Charter of the City of Lawton by removing the requirement for a primary election in December followed by a general election in February for the election of the Mayor and councilmembers and replacing the same with one (1) general election to be held in November, and provide direction to staff. Exhibits: None. Page 60

19. Consider adopting a resolution approving the acquisition of specific tracts and parcels of property by the Lawton Urban Renewal Authority (LURA) through condemnation for the purpose of eliminating blight in the D-6 Urban Renewal Plan area. Exhibits: City Council Resolution No. 10-____, LURA Resolution 10-05, City Council Resolution 06-164 and D-6 Urban Renewal Plan Acquisition Map. Page 61
20. Consider an ordinance amending Section 16-5-1-508, Article 16-5, Chapter 16, Lawton City Code, 2005, pertaining to the use of photographic, electronic or video equipment to view and capture an image of a private area of a person without the knowledge and consent of such person, providing for severability, and declaring an emergency. Exhibits: Ordinance 2010-____. Page 69
21. Consider an ordinance creating Section 16-2-1-208, Article 16-2, Chapter 16, Lawton City Code, 2005, pertaining to threatening to perform an act of violence involving or intending to involve serious bodily harm or death of another person, providing for severability, and declaring an emergency. Exhibits: Ordinance 2010-____. Page 72
22. Consider an ordinance amending Section 16-3-1-308, Article 16-3, Chapter 16, Lawton City Code, 2005, pertaining to stealing or removing any dimensional stone product without the consent of the owner, providing for severability, and declaring an emergency. Exhibits: Ordinance 2010-____. Page 74

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

23. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending action relating to the flooding of Wolf Creek in the Meadowbrook Addition and if necessary, take appropriate action in open session. Exhibits: None. Page 77
24. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending grievances from AFSCME Local 3894, IAFF Local 1882, and IUPA Local 24, regarding the health fund, and, if necessary, take appropriate action in open session. Exhibits: None. Page 78
25. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2010-2011 between the Fire Union, IAFF Local 1882, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None. Page 79
26. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2010-2011 between the Police Union, IUPA Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None. Page 80

27. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2009-2010, and for FY 2010-2011, between the American Federation of State, County and Municipal Employees (AFSCME) Local 3894, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None. Page 81

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."