MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
APRIL 24, 2018 – 6:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Fred L. Fitch, Mayor Presiding	Also Present: Jerry Ihler, City Manager Frank Jensen, City Attorney Traci Hushbeck, City Clerk

Mayor Fitch called the meeting to order at 6:28 p.m. Notice of meeting and agenda Were posted on the City Hall notice board as required by law. Invocation was given by Pastor Rick Gettens, Mind of Christ Multiethnic Church, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT:	Bob Morford, Ward One Keith Jackson, Ward Two Caleb Davis, Ward Three Jay Burk, Ward Four Dwight Tanner, Jr., Ward Five Sean Fortenbaugh, Ward Six Onreka Johnson, Ward Seven Randy Warren, Ward Eight
ABSENT:	None

PROCLAMATION FOR ALCOHOL AWARENESS MONTH (This proclamation was presented during the Lawton Water Authority meeting at 6 p.m.)

PRESENTATION OF OUTSTANDING CITIZENS OF COMANCHE COUNTY TO LAWTON HIGH SCHOOL KEY CLUB

Mayor Fitch presented a Certificate of Commendation from the Mayor's Office to Alicia Najera, Advisor for Lawton High School Key Club.

PROCLAMATION FOR MOTORCYCLE AWARENESS MONTH

Mayor Fitch proclaimed May 2018 as Motorcycle Awareness Month.

PUBLIC SAFETY FACILITY QUARTERLY UPDATE

Jim Healey, Project Manager for Dewberry Architects updated the council on the public safety facility project.

AUDIENCE PARTICIPATION:

First Lady Tosha Mac, 111 SE Sungate Boulevard, stated she is here on behalf of Sterling Bailey and they are asking council members from ward 5, 7, the Mayor, City Attorney, City Manager and city planner schedule a recorded meeting on Thursday or an available date.

Davis stated he attended the meeting they put together a couple weeks ago and the committee looked at what Mr. Bailey provided as far as his license and the license that was on record was a 45M license. He verified that with Mr. Bailey and he said that was his license. He stated he had a 45F license which is the license he needed in order to operate the way he was operating, but he did not have proof of that, but he would get it to members of the committee within a week.

Sterling Bailey, 3413 Abilene Drive, stated he does have the 45F license. (He provided a copy)

Davis stated they decided to wait and meet again once they had that license.

Mayor Fitch stated the attorney will look it over and then address it back with the committee and if it requires another meeting they will contact Mr. Bailey.

Ms. Johnson stated he does have the proof that he has the 45 F license and she feels they need to go ahead and have that meeting. She will be in contact with Mr. Bailey when they determine a time and date.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETING OF APRIL 10, 2018.

MOVED by Jackson SECOND by Fortenbaugh to approve the minutes of Lawton City Council regular meeting of April 10, 2018. AYE: Fortenbaugh, Johnson, Warren, Morford, Jackson, Davis, Burk, Tanner. NAY: None. MOTION CARRIED.

CONSENT AGENDA

Mayor Fitch stated the Cosmo Realty claim on item #1 and item #12 will be stricken from the agenda. Tanner requested items #6 and #7 be considered separately. Jackson requested item #5 and Davis requested items #8, #13 and #14 be considered separately.

MOVED by Burk SECOND by Morford to approve the consent agenda with the exception of items #1 (Cosmo Realty claim), #5, #6, #7, #8, #12, #13, and #14. AYE: Morford, Jackson, Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

1. Consider the following damage claims recommended for denial: Cosmo Realty on behalf of Amber Gregory-Mills in the amount of $4,794.35 **(STRICKEN)**, Charles and Peggy Dykes in the amount of $6,200.00 and Mike and Pam McKenzie in the amount of $180.00. Exhibits: Legal Opinion/Recommendation.

2. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of Billy Chandler. Exhibits: **Resolution 18-22**.

3. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of Billy Chandler. Exhibits: **Resolution 18-23**.

4. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of Billy Chandler. Exhibits: **Resolution 18-24**.

5. Consider adopting a Resolution granting permission to Apache Casino Hotel use of the Official City of Lawton Seal in promotional materials for the 2018 Apache Balloon Festival, a free community event, in recognition of in-kind services provided by the City of Lawton. Exhibits: Resolution 18-__.

Jackson stated he pulled this so that the Chairman of the Apache Tribe could speak on this item.

Jeff Haozous, Chairman of the Fort Sill Apache Tribe, stated the Balloon Festival will be held August 24 – 26 and they should have about 20 hot air balloons on the east side of their property. It will be open to the public.

Lee Bayless, Apache Casino Hotel, thanked the City of Lawton for their participation and working through all the licensing and approvals. He stated this is a free event for the public and they hope to bring in several thousand people for this three day event. He stated they would like to include the City's logo in all of their publicity so that it shows that it is a joint effort with their organization, the chamber of commerce and the City of Lawton. They hope that this will be an annual event.

Mayor Fitch questioned if they sign an agreement so that the City of Lawton has no responsibility of any liability with regards to the balloon festival.

Mr. Bayless stated they would be happy to do that.

<u>MOVED by Burk SECOND by Jackson</u> to approve **Resolution 18-25** granting permission to Apache Casino Hotel the use of the Official City of Lawton Seal in promotional materials for the 2018 Apache Balloon Festival. AYE: Jackson, Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren, Morford. NAY: None. MOTION CARRIED.

6. Consider adopting Resolution No. 2018-____ continuing the sewer rate fee originally approved in 1998 to fund the wastewater rehabilitation program required by the Oklahoma Department of Environmental Quality Consent Order, to include all phases of the program. Exhibits: Resolution 18-__, Exhibit A – Section 22-131, Appendix A, Schedule of Fees and Charges, Lawton City Code, 2015.

Tanner apologized for being late to the Lawton Water Authority meeting and that is why he pulled these two items. He guessed the reason they want to continue this $2.35 fee on the water bill, which was due to expire in 2019, is that we identified more repairs that were needed.

Mayor Fitch stated we had the floods and all that caused a large expense of funds.

Tanner stated part of the consent order was if we found additional repairs that needed to be done, then we were obligated to do these repairs. A lot of these damages that were identified were possibly caused by the floods of 2015, 2016 and 2017 and it is his understanding that we possibly will be reimbursed by FEMA.

Ihler stated staff has submitted to FEMA to try and get reimbursements. He is not sure if we have received any funds.

Rusty Whisenhunt, Director of Field Utilities, stated we have not received any funds.

Tanner questioned if we had any idea of how much we might receive.

Whisenhunt stated for 2015 they have submitted a little over $2.6 million for refund and in 2016 they submitted almost $600,000 for refund.

Tanner stated it is not anywhere near the $12.7 million that we are asking for. He stated if we were to receive this $3 million from FEMA then we wouldn't need the total of the $12.7 million.

Ihler stated if we were to receive some from FEMA, staff would recommend that the first $400,000 go back to the emergency reserve fund and any other funds that we would receive they would recommend go back to the 2016 CIP to be utilized as council recommends.

Tanner stated this is not a water bill increase, it is just a continuation of a fee that we already charging to do mandated repairs according to the consent order given by the ODEQ.

MOVED by Tanner SECOND by Burk to approve **Resolution 18-26** continuing the sewer rate fee originally approved in 1998 to fund the wastewater rehabilitation program required by the Oklahoma Department of Environmental Quality Consent Order, to include all phases of the program. AYE: Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren, Morford, Jackson. NAY: None. MOTION CARRIED.

7. Consider and take action with respect to a resolution of the City of Lawton, Oklahoma (the "City") approving action taken by the Lawton Water Authority (the "Authority") authorizing issuance, sale and delivery of a promissory note of the authority to the

Oklahoma Water Resources Board; ratifying and confirming a lease agreement, as amended pertaining to certain water, sanitary sewer, and refuse systems; and containing other provisions related thereto. Exhibits: Resolution 18-__.

Tanner stated it is his understanding by paying this original note off early we are going to save approximately $1 million.

Ihler stated that is correct. They believe the Water Resources Board will allow them to pay off a note that is funded through sales tax and they believe they would be waiving the admin fees and waiving the interest from the remaining part of the loan which is approximately $1 million.

MOVED by Tanner SECOND by Morford to approve **Resolution 18-27** approving action taken by the Lawton Water Authority (the "Authority") authorizing issuance, sale and delivery of a promissory note of the authority to the Oklahoma Water Resources Board; ratifying and confirming a lease agreement, as amended pertaining to certain water, sanitary sewer, and refuse systems; and containing other provisions related thereto. AYE: Burk, Tanner, Fortenbaugh, Johnson, Warren, Morford, Jackson, Davis. NAY: None. MOTION CARRIED.

8. Consider accepting a donation of a park bench from the I Love Lawton Foundation to be placed in Elmer Thomas Park in the memory of Justin Rodriguez. Exhibits: None.

Davis stated he wanted to thank the I Love Lawton Foundation, which is run by Emanuel. At the last council meeting they had another item of his and the council did not approve his request for a forum, but he appreciates Emanuel and the I Love Lawton Foundation. They have already raised the money for the park bench for Justin. He just wanted to say thank you for their good work in helping the community.

MOVED by Davis SECOND by Burk to accept a donation of a park bench from the I Love Lawton Foundation to be placed in Elmer Thomas Park in the memory of Justin Rodriguez. AYE: Tanner, Fortenbaugh, Johnson, Warren, Morford, Jackson, Davis, Burk. NAY: None. MOTION CARRIED.

9. Consider approving a waiver of special assistance and property usage fees in the amount of $1,717.08 in support of the Black Beaver District Cub Scout Day Camp to be held June 3 - 8, 2018 at Elmer Thomas Park. Exhibits: Letter of Introduction from Black Beaver District Cub Scout Day Camp Director, City Assistance and Property Request.

10. Consider acknowledging receipt of a Tier 1 permit for the construction of sanitary sewer lines from the Oklahoma State Department of Environmental Quality to the serve the North Wolf Creek Trunk Expansion #1 Project, City of Lawton, Comanche County, Oklahoma. Exhibits: None.

11. Consider approving an agreement and payment of $2,774.20 to Ms. Marsha Moody for the replacement of a portion of the residential driveway located at 16 SW 50th Street, which was demolished in the course of completing a city waterline repair. Exhibits: Proposed agreement between the City of Lawton and Ms. Moody.

12. Consider approving a modified Change Order No. 1 for Fire Station #8 - Project # 2013-11 located on Bishop Rd between 57th Street and 67th necessitated during construction by The Ross Group Construction Corp. Exhibits: Modified Change Order No. 1. Memo from Ross Group showing math error.

13. Consider approving a contract to provide health care coverage for eligible City of Lawton employees and those eligible retirees under age 65 to Health Care Highways (HCH), of Frisco, TX. Exhibits: Contract is on file in the City Clerk's Office.

Davis stated he wanted to have some questions answered at this meeting for the sake of the public. He was disappointed that this was on the consent agenda because he did want it discussed. It seems like a really good program with some cost savings. He requested the human resources director run through the highlights of the program.

Warren Wick, Human Resources Director, stated they have done extensive vetting with the health care benefits, which is the biggest cost of the benefits to the City and the employees. By using our consultant, NFP, we have an opportunity to reduce our health care costs significantly. We are getting more than 11% reduction off of the health care which is approximately $1.1 million and of that, they want to take 8% and apply that to the city for savings in terms of premiums and to the employees as premiums. We have had Blue Cross and Blue Shield since 2005, but they found that we had an opportunity to go to Health Care Highways and use our local hospital, Comanche County Memorial, and not have to pay any copays and a reduction in prescription rates. Over 90% of our employees use Comanche County Memorial. The savings of 8% would be approximately $760,000. The City would save $478,500 and $281,500 for the employee. It looks like a very favorable plan. The internal health committee looked at this plan and approved to move forward. They looked at five different carriers and came back with four that were solid and then they narrowed it down to Blue Cross and Blue Shield and Health Care Highways. He stated this would be effective on July 1, 2018 and would go through June 30, 2019. He feels this is a wonderful opportunity for the City and the employees to save money. We are not taking the total amount to save, we are taking 8%, but the rest of that money will go over into our reserve. It is important to keep a certain amount in the reserve for catastrophic claims, because we are a self insured organization and stop loss will only cover us until a certain dollar amount. He stated the health committee and NFP is in favor of this contract with Health Care Highways.

Davis questioned if the stop loss is the same amount as it was with Blue Cross/Blue Shield.

Brady Ayala, Benefits Specialist with NFP, stated the deductible will stay the same.

Davis questioned if after we reach our stop loss where the City becomes liable at that point, does that number stay the same.

Mr. Ayala stated yes.

Davis stated he has spoken to several employees who were nervous at first, but he is in favor of this and he thanked staff who worked on this for our employees.

MOVED by Davis SECOND by Warren to approve a contract to provide health care coverage for eligible City of Lawton employees and those eligible retirees under age 65 to Health Care Highways (HCH), of Frisco, TX. AYE: Fortenbaugh, Johnson, Warren, Morford, Jackson, Davis, Burk, Tanner. NAY: None. MOTION CARRIED.

14. Consider awarding contract (RFPCL18-027) Police Vehicles Purchase to Billingsley Ford of Lawton, OK. Exhibit: Department Recommendation, Vendor Price Sheets, Bid Summary.

Davis questioned when the vehicles will be ready.

Bart Hadley, Assistant City Manager, stated this is contingent on bringing back the financing on May 8th. This item will need to have an amended recommended action to add that it is contingent upon financing approval by council at a future meeting. Once the financing is approved they will be able to move forward.

Davis questioned if the money for financing was already figured in.

Hadley stated that is part of the reason why these are separated. We have two bids that council can accept. There is a local vendor that was not the lowest vendor but he is well within the 5% difference between the two vendors. Council will need to decide tonight if we are going with the lowest vendor or the local vendor and that will change the price for the financing.

Davis stated that difference is about $28,000 or $29,000.

Hadley stated yes, for the equipment costs. The financing costs will make that number larger.

Davis questioned if the time line on getting the vehicles on the street is the same for both vendors.

Hadley stated he is not sure, but he believes it is a 30 day delivery. Once the vehicles are delivered there will be equipment things to be done to get them ready.

Burk stated that Billingsley is using a little bit better equipment. He understood that there would be no holdup to be able to get them here once they pass this tonight.

Davis stated with this agenda item they could pass either vendor price tonight. If they approve the Vance contract it would save $28,000 - $29,000 without the financing included. They can approve the Billingsley contract because they give local vendors 5% preference.

MOVED by Burk SECOND by Warren to award contract (RFPCL18-027) Police Vehicles Purchase to Billingsley Ford of Lawton, OK. AYE: Morford, Jackson, Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

15. Consider awarding contract (CL18-022) Mowing & Litter (5 Areas) - Areas 1, 3, 4 and 5 to The Lawn Wizards of Lawton, OK, and awarding Area 2 to Adult & Teen Challenge of Oklahoma. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.

16. Consider awarding the requirement contract for Cationic Polymer to Chameleon Industries, Inc. of Mesquite, TX. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.

17. Consider approval of payroll for the periods of April 9 - 22, 2018.

BUSINESS ITEMS:

18. Consider accepting the annual audit report on the City of Lawton for fiscal year ended June 30, 2017, as presented by BKD, LLP. Exhibits: The annual audit report for fiscal year ended June 30, 2017 will be on file in the City Clerk's Office and distributed to the Mayor/Council members immediately upon receipt from the auditors.

Cynthia Burns, BKD CPA's and Advisors, presented the audit for the fiscal year June 30, 2017. (A copy of the audit is on file in the City Clerk's office). She stated they were able to issue an unmodified opinion, which is the best opinion you can receive.

<u>MOVED by Burk SECOND by Morford</u> to accept the annual audit report on the City of Lawton for fiscal year ended June 30, 2017, as presented by BKD, LLP. AYE: Jackson, Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren, Morford. NAY: None. MOTION CARRIED.

19. Hold a public hearing to receive citizen comments and consider discussing recommendations from the City Planning Commission (CPC) and approving the Annual Action Plan (AAP) for FFY 2018, granting staff the authority to do a twenty percent (20%) adjustment based on the final CDBG and HOME program amounts approved by HUD, and authorizing the Mayor and City Clerk to execute the documents necessary to implement the plan. Exhibits: AAP for FFY 2018 (Draft) is on file at City Clerk's office. Workbook of Applications is on file at City Clerk's office.

Anthony Griffith, Administrative Services Director, presented a series of slides regarding the Annual Action Plan for FFY 2018. (Presentation is on file in the City Clerk's Office)

PUBLIC HEARING OPENED.

Charlie Baer, Executive Director of Christian Family Counseling Center, stated this year they are helping 25 families and 45% of them are experiencing depression. He stated 30% of their clients have considered suicide and 10% score significant risk for suicide. He stated 36% of the help they are providing are for children and 16% is for marriage counseling. He stated that people that come to see them actually leave better and get help when they come to the center. They leverage the funds the council gives them to provide services at no fee.

PUBLIC HEARING CLOSED.

MOVED by Burk SECOND by Morford to approve the Annual Action Plan (AAP) for FFY 2018, granting staff the authority to do a twenty percent (20%) adjustment based on the final CDBG and HOME program amounts approved by HUD, and authorizing the Mayor and City Clerk to execute the documents necessary to implement the plan. AYE: Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren, Morford, Jackson. NAY: None. MOTION CARRIED.

20. Hold a public hearing and adopt a resolution declaring the structures located at 10 NW 58th St., 805 SW 13th St., 1308 SW "H" Av, 1310 SW "H" Ave, 1401 SW "I" Ave, and 1410 SW "J" Ave 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. Exhibits: Resolution and exhibits for the property.

10 NW 58th Street

Brock Greenhill, Neighborhood Services Supervisor, reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He stated the property was on the council agenda on March 28, 2017, but it was stricken off the agenda. The owner of the property pulled a permit and then pulled a renewal permit, however, there have been no inspections requested. He stated the property has been without utilities since June 17, 2015. He presented photographs of the property.

Burk stated there is some damage, but there are homes in Lawton that are worse than this. He questioned if the property owner just didn't want to do the repairs.

Greenhill stated the owner is here to speak to the issue. They have gotten a number of calls about the property.

PUBLIC HEARING OPENED.

Eric Fladie, property owner, requested that the council give him the opportunity to make repairs. With repair of the roof it will remove the nuisance and public safety concerns to the neighborhood. He has not had the resources to repair the property but today he did contract with a local roofing company to have the work done. He has provided the contract to Mr. Greenhill. He requested the council take no legal action to abate the property and give him the opportunity to get this fixed.

Burk stated the property has come to council before and the other people around this home are being affected. The council has given Mr. Fladie extra time. Once the property goes on the D&D list Mr. Fladie will have the time to get things done and it does not have to come back. They put things on the D&D list so that people know they have a timeline to get it fixed.

Warren stated that former Councilmember Wells asked him to keep an eye on this house. He stated he received phone calls from neighbors who were getting shingles in their backyards, front yards and on their cars. He stated this is the same song just a different day. He stated Mr. Wells had this previously struck from the agenda and the owner pulled a permit and then pulled an extension, but he never did anything. They did not repair the hole in the roof or pick up the shingles out of the yard. The option would be to table this and allow Mr. Fladie to pull another permit, but we may be back here in another six months doing the same thing and he will still be getting the phones calls from the neighbors.

Davis questioned what kind of permit was pulled.

Greenhill stated he has got some designs to do some interior remodel. The plans are in our license and permit division. The primary reason he is here today is because of the roof. It has had no utilities for three years and it is deteriorating. He does not have to have a permit to fix the roof, but he does have intentions to do some repairs on the inside.

Davis stated this is about as nitpicky as he has seen on this council. A roof repair needs to be done and he has contracted that out. The house is in good condition. Being put on the D&D list is a different ballgame from getting a regular permit. He does not need a permit to do his roof. He can get the roof fixed and be done with it and then do the interior remodel. The interior is not hurting anyone around him. This is not a house that if falling down and he cannot support this minor of an infraction, especially when he has contracted to fix his roof. He would ask Councilmember Warren to consider tabling this property to see if the roof gets repaired before they place this on the D&D list.

Mr. Fladie stated he has spoken with some of the neighbors and it is regretful that he has not been able to get this done on their behalf, but he would request a month to have the opportunity to get the roof fixed.

Tanner questioned if Mr. Fladie had the roofing contract.

Mr. Fladie stated he gave it to Mr. Greenhill.

Tanner stated the major issue is the roof and he needs to clean up the back yard. He stated if Mr. Fladie would just make a showing, neighborhood services staff will work with him. He agrees with Councilmember Davis that it does not need to be put on the D&D list.

PUBLIC HEARING CLOSED.

<u>MOVED by Warren SECOND by Morford</u>, to adopt **Resolution 18-28** declaring the structure located at 10 NW 58th Street to be a dilapidated public nuisance.

Davis questioned if Council Member Warren understood the entire scope of how the process works if you are put on the D&D list.

Warren stated yes he does and he understands that Mr. Fladie has had over a year to get this taken care of.

Davis stated the problem is getting the roof redone and he does not even need a permit to do that. He has a contract here tonight to get the roof done.

SUBSTITUTE MOTION by Davis SECOND by Tanner, to table this property for two council meetings. AYE: Tanner, Johnson, Davis. NAY: Fortenbaugh, Warren, Morford, Jackson, Burk. MOTION FAILED.

VOTE ON ORIGINAL MOTION: AYE: Burk, Fortenbaugh, Warren, Morford, Jackson. NAY: Tanner, Johnson, Davis. MOTION CARRIED.

805 SW 13th Street

Greenhill reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since July 14, 2015. He presented photographs of the property.

PUBLIC HEARING OPENED.

J. E. Williams, 852 SW Landmark Circle, stated he is going to have the trailer demolished and he asked for 30 days to get it taken down.

Tanner questioned if Mr. Williams would be able to get the 50% tipping fee discount if they put this on the D&D list.

Greenhill stated yes.

Tanner stated this would be a pretty nice lot once the trailer is removed and he feels Mr. Williams would be able to sell it. It will not hurt Mr. Williams if they put this on the D&D list.

PUBLIC HEARING CLOSED.

MOVED by Tanner SECOND by Warren, to adopt **Resolution 18-29** declaring the structure located at 805 SW 13th Street to be a dilapidated public nuisance. AYE: Fortenbaugh, Johnson, Warren, Morford, Jackson, Davis, Burk, Tanner. NAY: None. MOTION CARRIED.

1308 SW "H" Avenue

Greenhill reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since March 9, 2017. He presented photographs of the property.

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

MOVED by Tanner SECOND by Morford, to adopt **Resolution 18-30** declaring the structure located at 1308 SW "H" Avenue to be a dilapidated public nuisance. AYE: Morford, Jackson, Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

1310 SW "H" Avenue

Greenhill reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He presented photographs of the property.

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

MOVED by Tanner SECOND by Morford, to adopt **Resolution 18-31** declaring the structure located at 1310 SW "H" Avenue to be a dilapidated public nuisance. AYE: Jackson, Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren, Morford. NAY: None. MOTION CARRIED.

1401 SW "I" Avenue

Greenhill reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since October 5, 2010. He presented photographs of the property.

PUBLIC HEARING OPENED.

Lillian Kyle, 1403 SW I Avenue, stated this house is less than ten feet from her home and she would like to see it torn down. She stated she would like to get the property and put a fence all the way around it.

Tanner stated the council has no authority to sell the property. He suggested she go to the county courthouse and look at the records and get in contact with the owners of the property.

PUBLIC HEARING CLOSED.

MOVED by Tanner SECOND by Jackson, to adopt **Resolution 18-32** declaring the structure located at 1401 SW "I" Avenue to be a dilapidated public nuisance. AYE: Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren, Morford, Jackson. NAY: None. MOTION CARRIED.

1410 SW "J" Avenue

Greenhill reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since January 23, 2009. He presented photographs of the property.

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

MOVED by Tanner SECOND by Burk, to adopt **Resolution 18-33** declaring the structure located at 1410 SW "J" Avenue to be a dilapidated public nuisance. AYE: Burk, Tanner, Fortenbaugh, Johnson, Warren, Morford, Jackson, Davis. NAY: None. MOTION CARRIED.

21. Hold a public hearing and consider an amendment to the Land Use Plan from Professional Office to Commercial and an ordinance changing the zoning from P-O Professional Office District to C-1 Local Commercial District zoning classification on

property located at 401 West Gore Boulevard. Exhibits: Resolution No. 18-__, Ordinance No. 18-__ with Site Plan, Location Map and Application.

Richard Rogalski, Community Services Director, stated this request is for the East 40 feet of Lot 14 and all of Lots 15 and 16, Block 62, North Addition which are located at the northwest corner of NW 4th Street and West Gore Boulevard. The applicants are Mark and LeAnn Cox. The proposed use is a spa. The zoning of the surrounding area is R-2 Two-Family Dwelling District to the north, Mixed Use Subdistrict of the Downtown Overlay District to the south and east, and R-4 High Density Apartment District to the west. The land use of the surrounding area is single-family residential to the north, east, and west and Shepler Park to the south. The 2030 Land Use Plan designates these lots as Professional Office. This property was the site of the American Red Cross for many years. In 2015 this property was rezoned for offices. The proposed use now is a spa. On April 12, 2018, the City Planning Commission held a public hearing on this request and recommended approval to the City Council.

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

MOVED by Tanner SECOND by Burk to adopt **Resolution No. 18-34**. AYE: Tanner, Fortenbaugh, Johnson, Warren, Morford, Jackson, Davis, Burk. NAY: None. MOTION CARRIED.

MOVED by Tanner SECOND by Burk to adopt **Ordinance 18-10**, waive the reading of the ordinance, read the title only and establishing an effective date of thirty days from today. AYE: Fortenbaugh, Johnson, Warren, Morford, Jackson, Davis, Burk, Tanner. NAY: None. MOTION CARRIED.

(Title read by City Attorney) Ordinance 18-10

An ordinance changing the zoning classification from the existing classification of P-O Professional Office District to C-1 Local Commercial district zoning classification on the tract of land which is hereinafter more particularly described in section one (1) hereof; approving the site plan attached as Exhibit A; and authorizing changes to be made upon the official zoning map in accordance with this ordinance.

22. Hold a public hearing and consider a resolution amending the Land Use Plan from Residential/Low Density to Commercial and an ordinance changing the zoning from R-1 Single-Family Dwelling District and R-3 Multiple-Family Dwelling District to C-4 Tourist Commercial District zoning classification on property located at 900 NW Rogers Lane. Exhibits: Resolution 18-__, Ordinance No. 18-__ with Site Plan, Location Map, Application, FAA Determination of No Hazard to Air Navigation.

Rogalski stated this request is for Lot 7, Block 2, Runyon Hillside Addition, a 0.23 acre tract east of Lot 7, and the unplatted tract north of Lot 6, Block 8, Runyon Hillside Addition. The proposed use is an expansion of recreational vehicle parking for Storage R Us which is located at 900 NW Rogers Lane. The applicant is Carl Gibson, and the property owners include Jo Ann Porter and Woon Chang who have agreed to the request. This request initially came before the

CPC on July 27, 2017. There was concern voiced by Fort Sill due to the proximity to the airfield. The applicant worked with the Federal Aviation Administration (FAA) and Fort Sill and has received clearance from the FAA and Fort Sill for the proposed project. The zoning of the surrounding area is R-1 to the south and west and C-4 to the east. The land use of the surrounding area is Fort Sill Military Reservation to the north, single-family residential to the south, Storage R Us to the east, and single-family residential and vacant property to the west. The Land Use Plan designates these tracts as Residential/Low Density. There was a mobile home park on the R-3 tract and a mobile home on Lot 7. The City Planning Commission held a public hearing on this request on April 12, 2018, and recommended approval.

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

Warren questioned if there was ingress or egress on that Marion Lane and Runyon Road that is directly south.

Rogalski stated this property is not accessing the development.

MOVED by Jackson SECOND by Morford to adopt **Resolution No. 18-35**. AYE: Morford, Jackson, Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

MOVED by Jackson SECOND by Morford to adopt **Ordinance 18-11**, waive the reading of the ordinance, read the title only and establishing an effective date of thirty days from today. AYE: Jackson, Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren, Morford. NAY: None. MOTION CARRIED.

(Title read by City Attorney) Ordinance 18-11

An ordinance changing the zoning classification from the existing classification of R-1 Single-Family Dwelling District and R-3 Multiple-Family Dwelling District to C-4 Tourist Commercial District Zoning classification on the tract of land which is hereinafter more particularly described in section one (1) hereof; approving the site plan attached as Exhibit A; and authorizing changes to be made upon the official zoning map in accordance with this ordinance.

23. Consider providing direction to the City Manager to establish a "Standard of Conduct" administrative policy for all City employees. This policy will both direct and remind all City employees addressing the City Council, that information submitted by them to be used in decision making must be truthful and verifiable. Exhibits: None.

Davis stated this is not a policy yet, this item would direct the City Manager to establish a policy. This is self explanatory, but he would answer any questions about this item.

Mayor Fitch suggested the policy include council members.

Tanner stated they passed something at the last meeting regarding conduct.

Mayor Fitch stated it had nothing to do with this.

Tanner stated he would not have a problem with this.

MOVED by Davis SECOND by Tanner to provide direction to the City Manager to establish a "Standard of Conduct" administrative policy for all City employees. AYE: Davis, Tanner, Johnson. NAY: Burk, Fortenbaugh, Warren, Morford, Jackson. MOTION FAILED.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

Ihler presented revenue and expenditure highlights for period ending February 28, 2018. (On file in the City Clerk's office).

Tanner suggested we look into buying some equipment that is comparable to whatever the other commercial trash haulers are using. It may increase some revenue for the City, particularly the enterprise fund.

Warren recognized School of Athens, a nonprofit in town, who raised $1,600 to pay off the children's lunch debt at Hugh Bish Elementary. He stated a LPS 5th grader, Jalissa Rocha, from Pioneer Park is one of the five students to make it to the national level of the Future Chef competition. He thanked Jo Peters for heading up a litter pickup effort in his ward.

Johnson thanked volunteers who picked up litter in her ward. On Saturday, April 28th, at the Great Plains Technology Center there will be a sexual assault awareness conference starting at 8:30 a.m. It will be hosted by Touching Lives Compassionately.

Fortenbaugh stated Arts For All will be held on May 11th at Shepler Park.

Tanner stated the Open Streets even is tentatively rescheduled for June 2nd.

Burk stated Trash Off will be held on April 28th, starting at 8 a.m.

Ihler recommended the first meeting to review the budget be held on May 1st at 1:30 p.m.

The Mayor and Council convened in executive session at 8:49 p.m. and reconvened in regular, open session at 9:16 p.m. Roll call reflected all members present.

EXECUTIVE SESSION ITEMS:

24. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending damage claim of Brandon Hardegree, and, if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title to item #24. No action was taken.

25. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending damage claim of Tony Kemp, and, if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title to item #25. No action was taken.

26. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending damage claim of Roy Vanderpool and, if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title to item #26. No action was taken.

27. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending damage claim of Chasatie Byrd and, if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title to item #27. No action was taken.

28. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending damage claim of Norma Lee and, if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title to item #28. No action was taken.

There being no further business to consider, the meeting adjourned at 9:17 p.m. upon motion, second and roll call vote.

____
FRED L. FITCH, MAYOR

ATTEST:

____
TRACI HUSHBECK, CITY CLERK