MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
APRIL 27, 2021 – 2:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Stan Booker, Mayor

Also Present:
Michael Cleghorn, City Manager
John Ratliff, City Attorney
Traci Hushbeck, City Clerk
COL Rhett A. Taylor, Fort Sill Liaison

Mayor Booker called the meeting to order at 2:12 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Pastor Paul Craig, The Christian Center, followed by the Pledge of Allegiance

ROLL CALL

PRESENT:

Mary Ann Hankins, Ward One
Keith Jackson, Ward Two
Linda Chapman, Ward Three
Jay Burk, Ward Four
Allan Hampton, Ward Five
Sean Fortenbaugh, Ward Six
Onreka Johnson, Ward Seven
Randy Warren, Ward Eight

ABSENT:

Sean Fortenbaugh, Ward Six

**PROCLAMATIONS:**

**Safe Digging Month**

Mayor Booker proclaimed the month of April 2021 as Safe Digging Month. He presented the proclamation to Larry Wolcott, Public Works Director and Rusty Whisenhunt, Director of Public Utilities.

**Alcohol Free Weekend**

Mayor Booker and COL Taylor proclaimed April 30 – May 2, 2021 as Alcohol Free Weekend. He presented the proclamation to members of the Wichita Mountains Prevention Network, the Lawton Fort-Sill Community Coalition and the Community Advocates for Safe Teens.

**REPORTS: MAYOR/CITY COUNCIL**

Mayor Booker stated the recent four homicides in Lawton are a reason for concern. He thanked the first responders for their dedication and citizens for being part of the team that makes this community so wonderful.

Hankins suggested citizens use the ihelplawton website.

Chapman reported the Meadowbrook-Heinz Neighborhood Watch met last night. She thanked the Mayor for speaking to the group.

Hampton stated there is a lot of good things going on in Lawton. He stated his neighborhood watch program is looking at trying to place cameras in his ward.

Johnson stated they are looking at getting the Lawton View Neighborhood Watch program started again.

**AUDIENCE PARTICIPATION:**

Paul Greene, 806 NW 52nd Street, stated the tennis courts at Kids Zone are looking good. He stated the Trash Off is scheduled for May 8th.

**CONSENT AGENDA:**

Mayor Booker stated they need to strike #4 from the agenda because of a legal issue. He stated items #2, #3, #5, #6, #8 and #9 will be considered separately.

MOVED by Warren SECOND by Johnson to approve the consent agenda with the exception of items #2, #3, #4, #5, #6, #8 and #9. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Johnson, Warren. NAY: None. MOTION CARRIED.

1. Consider approval of the minutes of the Lawton City Council meetings of March 23 and April 13, 2021.

2. Consider authorizing the Mayor to execute a letter to the Navy Sea Systems Command expressing the City of Lawton's support of the Eagle Scout Project honoring those that have served and are currently serving in the U.S. Navy by creating a monument within Elmer Thomas Park incorporating artifacts of the USS Oklahoma City (SSN 723) submarine.

Richard Rogalski, Deputy City Manager, stated the project started at the Lawton Enhancement Trust Authority meeting when Matthew Aguilar, Jr. presented an idea for a plan and LETA thought it was a great idea. This item deals with a request to the Navy to get a part for the monument.

Matthew Aguilar, Jr. Life Scout in Boy Scout Troop 4176, briefed the council on his Eagle Scout project, which is a submarine monument. He would need a letter of request from the City of Lawton.

MOVED by Burk SECOND by Chapman to authorize the Mayor to execute a letter to the Navy Sea Systems Command. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Johnson, Warren. NAY: None. MOTION CARRIED.

Mayor Booker stated that he has asked Mr. Greene to get him a list of all the Eagle Scout projects happening around town.

3. Consider approving the installation of security access card readers and cameras to complete the security and physical audit of the following locations: City Hall, City Hall Annex and E911 Dispatch Center.

Al Doctor, IT Deputy Director, stated they have put in a request to add the remaining buildings for security measures. They have started the process of issuing new badges for employees. This item will finish out the complete system and will give them accountability of who is in what building.

Mayor Booker questioned why the funding source is not identified.

Gwen Spencer, IT Director, stated the funding source is Account 205, City-at-Large and the IT budget.

Cleghorn stated when the budget was amended earlier this year they put extra money in Account 205 for chemicals, but now there is available funding which will be moved to help pay for this upgrade for security measures.

Hampton stated a constituent asked him about the bidding process.

Doctor stated they were able to extend a contract that was already in place off the state contract.

MOVED by Burk SECOND by Warren to approve the installation of security access card readers and cameras to complete the security and physical audit of the following locations: City Hall, City Hall Annex and E911 Dispatch Center. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Johnson, Warren. NAY: None. MOTION CARRIED.

4. Consider approving a resolution authorizing performance and allocation of responsibilities for implementation of the Skills Training, Education, Development and Investment (STEDI) Project Plan. **STRICKEN**

5. Consider renewing the current contracts with Blue Cross Blue Shield of Oklahoma (BCBS) providing fully insured health care coverage along with selected ancillary coverage for eligible City of Lawton employees and those eligible retirees effective July 1, 2021 and authorize the Mayor and City Clerk to execute the contracts.

Dewayne Burk, Human Resources Director, reported that this year they are looking at a premium decrease of 12.85%. They will be redistributing the savings back to the employees as the City will pay for a higher percentage of their cost of the premiums. We were paying 63% of an employee/spouse and 80% of an individual's health premium. With the savings they will up that number to 85% for individual and 70% for other coverages. He feels this will be great for recruiting.

MOVED by Burk SECOND by Warren to renew the current contracts with Blue Cross Blue Shield of Oklahoma. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Johnson, Warren. NAY: None. MOTION CARRIED.

6. Consider award of construction contract to T&G Construction, Inc., for the Pavement Reconstruction & Rehabilitation - Intersection of Neal Boulevard and Ard Street - Project #2019-04.

Shivani Rani, Civil Engineer, updated the council on the project.

MOVED by Chapman SECOND by Hampton to award a construction contract to T&G Construction, Inc., for the Pavement Reconstruction & Rehabilitation - Intersection of Neal Boulevard and Ard Street. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Johnson, Warren. NAY: None. MOTION CARRIED.

7. Consider extending contract for (CL20-016) Footwear (Safety, Athletic & Walking) to Woodward's Occupational Footwear of Cyril, OK for items 1A, 1B, 1C, 1D, and 2 to Red Wing Brands of America, Inc for items 1E, 1F and 3.

8. Consider extending contract (RFPCL19-027) Grandview Sports Complex Concession Lease and the associated 'Lease and Non-Exclusive Concession Operation Agreement', to LaSill Optimist Club of Lawton, OK, for an additional year.

Johnson stated she is a member of LaSill Optimist Club so she will need to abstain from items #8 and #9.

MOVED by Warren SECOND by Chapman to extend contract (RFPCL19-027) Grandview Sports Complex Concession Lease and the associated 'Lease and Non-Exclusive Concession Operation Agreement', to LaSill Optimist Club of Lawton, OK, for an additional year. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Warren. NAY: None. ABSTAIN: Johnson. MOTION CARRIED.

9. Consider awarding contract (RFPCL21-021) McMahon Park Concession Lease and the associated 'Lease and Non-Exclusive Concession Operation Agreement', to the LaSill Optimist Club of Lawton, OK.

MOVED by Warren SECOND by Chapman to award contract (RFPCL21-021) McMahon Park Concession Lease and the associated 'Lease and Non-Exclusive Concession Operation

Agreement', to the LaSill Optimist Club of Lawton, OK. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Warren. NAY: None. ABSTAIN: Johnson. MOTION CARRIED.

10. Consider awarding contract (CL21-019) Mowing & Litter Areas Items 1 thru 5 to Lawn Wizards of Lawton, Oklahoma.

11. Consider approving appointments to boards and commissions.

**<u>Mayor's Commission on the Status of Women</u>**
Luanna J Gallagher
638 McBride Avenue
Fort Sill, OK 73505
01/23/23

Sarah Pappe
916 NE Pheasant Lane
Lawton, OK 73507
01/23/23

Barbara Curry
1613 SE Clover Lane
Lawton, OK 73501
02/12/23

Samantha Lankford
7201 NW Lawton Avenue
Lawton, OK 73505
02/26/23

Dani Blackburn
4408 SW Mesquite Drive
Lawton, OK 73505
01/23/23

**<u>Library Board</u>**
Patty Neuwirth
715 NW Heinzwood Circle
Lawton, OK 73505
05/31/23

Tom Rine
1807 NE 29th Street
Lawton, OK 73507
05/31/23

OLD BUSINESS ITEMS:

12. Presentation and acceptance of the financial statements and audit report on the City of Lawton for fiscal year ended June 30, 2020, as presented by BKD, LLP.

Don Moore, Finance Director, stated this is an unmodified or unqualified opinion. It is not an opinion of the financial condition of the city, it is an opinion on if the financial statement fairly represents the financial condition of the City.

Moore reported highlights of the financial statements/audit. (A copy of the audit is on file in the City Clerk's office.)

MOVED by Warren SECOND by Burk to accept the financial statements and audit report on the City of Lawton for fiscal year ended June 30, 2020, as presented by BKD, LLP. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Johnson, Warren. NAY: None. MOTION CARRIED.

13. Consider a modification to the budget included in the Agreement for Funding and Limited Support with the FISTA Development Trust Authority for the 2020-2021 fiscal year and authorize funding from the Hotel-Motel Tax Economic Development Fund to be used for marketing and advertising for the FISTA and mall property.

Rogalski introduced staff members from Freestyle Creative and Goodin Group, who presented background on their agencies as well as the scope of services and the importance of rebranding the mall.

Jason Wells, Insight Real Estate, stated this will help them maintain the current tenants and will help them in making it clear where we are going and what we are attempting to do in the future.

Chapman requested that the council receive an update on the retail part of this project. She stated citizens will accept this if they understand it.

Burk stated the council receives a monthly FISTA report that updates all the progress.

Wells stated he makes a monthly presentation to the FISTA board.

Chapman questioned if they will be coming back for more money.

Burk stated they don't have construction numbers yet so they won't have a budget until the new fiscal year.

Rogalski stated there will be a new budget that will have a bolstered marketing number. He stated it is unfortunate that the public does not know how much activity is going on.

Burk stated they just can't talk about all who they have been working with because they sign non-disclosure agreements and that also includes the retail side. They are excited about what the mall is becoming.

Johnson stated she would like to see some infographics because if you can see it, it can make a greater impact. She stated since this is an increase, do they have to do a budget amendment.

Ratliff stated on October 16th the council approved the agreement for funding and limited support and that amount was for $4.175 million. The initial amended proposed budget was for $4.187 million, a difference of $12,000. The numbers were modified to reflect the amount that has been approved by council. There is some money moving around and that is what is being considered tonight.

Rogalski stated the amended budget does provide them with additional money for marketing. It is not necessary to amend the City's budget. The $81,000 that they are moving from the hotel/motel economic development fund was budgeted in the current year. This amends the budget on the FISTA side.

Hankins stated she understands the importance of what is being asked tonight. She feels that she is at a deficit on what she can know about this project. She knows that the citizens want to know as much as possible.

Wells stated he can accommodate that request when it is appropriate.

Hampton stated the citizens hold them accountable and they need as much information as they can get.

Wells stated currently they have some major developments that they can discuss when appropriate.

MOVED by Burk SECOND by Warren to approve a modification to the budget included in the Agreement for Funding and Limited Support with the FISTA Development Trust Authority for the 2020-2021 fiscal year and authorize funding in the amount of $81,000 from the Hotel-Motel Tax Economic Development Fund to be used for marketing and advertising for the FISTA and mall property. AYE: Jackson, Chapman, Burk, Hampton, Johnson, Warren. NAY: Hankins. MOTION CARRIED. *(See note at the end of item #14)

NEW BUSINESS ITEMS:

14. Receive a presentation from EST, Inc. regarding the Goodyear Blvd Extension project and make a recommendation of the preferred design option for further study.

Rogalski stated EST, Inc. was retained by the Lawton Metropolitan Planning Organization in June of 2020 to develop a conceptual design for a direct roadway connection of the West Lawton Industrial Park to US Highway 62, with the goal of improved movement of goods and raw materials into and out of our community. Since that time EST has performed extensive field investigations, research, and analysis to develop and review a "universe of alternatives" which they have brought before the Transportation Technical Committee and the Transportation Policy Board for review, consideration, and scrutiny. From the feedback provided EST, Inc. has developed three solid and feasible options for the extension of Goodyear Blvd to US 62. The three options for final consideration are labeled Options A, B, and G, with option G being the alternative recommended by the project engineer. The three options were presented to an informal stakeholders' group. The consensus from this group was very much in favor of the project, with option G being the best balance of safety and convenience. Following selection of the preferred alternative, EST will perform a much more in depth engineering design study to include a final geometric and intersection design, soils analysis and pavement design, environmental clearance, hydrologic and hydraulic design of drainage crossings, and a more in depth engineers cost estimate to complete the conceptual design package.

Amanda Newberry, EST, Inc., presented the conceptual alignment and feasibility report for an extension of Goodyear Boulevard from the west Lawton Industrial Park to US62. (The presentation is on file in the City Clerk's office).

Mayor Booker stated Option G has received universal acceptance from not only the engineers, but the stakeholders and that is what he likes.

Warren stated he thinks that Option G is the right way to go. This has been needed for 25 years and he looks forward to it happening.

Burk thanked everyone on the LMPO for all their hard work. He stated Rogalski has done amazing work on this project. He agreed that Option G is the best option.

<u>MOVED by Warren SECOND by Burk</u> to recommend design option G for further study. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Johnson, Warren. NAY: None. MOTION CARRIED.

*Mayor Booker stated they need to go back and clarify that Council Member Hankins voted no on item #13. The voting machine recorded her vote as an abstention.

15. Discuss and direct staff to open the wading pools at 35th Division, Harmon, Mocine Parks. Additionally, discuss and provide direction to staff to open the municipal pool in Mattie Beal Park.

Johnson stated she needs some clarification on when these pools will be open.

Reggie Seaton, Leisure Services Administrator, Parks and Recreation Department, stated with council approval, they will open the splash pads in Elmer Thomas Park and Clement Washington on May 22nd and the wading pools and municipal pool on May 25th.

Hampton stated many families in his ward need a place to keep cool and the City needs to acknowledge that those people are also taxpayers and they should have someplace to go to cool off and the pools and splash pads are those places.

Johnson questioned if they could get estimates on the repairs for these pools.

Jeff Temple, Parks and Recreation Director, stated they are trying to do as much work in house on the pools. He stated the biggest challenge is making them ADA compatible.

Hampton questioned if there were any estimates to look at.

Temple stated the one he has is $300,000 which he feels is a ridiculous number.

Mayor Booker stated he was told that masks are not required at outdoor activities on city property.

Temple stated they are not required for people participating in that activity, but they are required for spectators.

Mayor Booker stated he does not understand why we are requiring masks outside.

Bart Hadley, Deputy City Manager, stated they put out the rules for little league this was the requirement with the understanding that the rules could be relaxed as they saw fit. He stated that the season hasn't started.

Mayor Booker stated he does feel they need to be required at the pools and splash pads. Everyone is outside, including the parents.

<u>MOVED by Johnson SECOND by Hampton</u> to direct the City Manager to open the pools and splash pads as recommended by staff on May 22nd and May 25th. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Johnson, Warren. NAY: None. MOTION CARRIED.

16. Discuss historic preservation concerns associated with WPA parks and other items of historical and cultural significance in the City of Lawton. Provide direction to staff as appropriate.

Hampton stated they had talked about having a centralized list at the city that citizens can add to. He stated he has been working with the Chamber and they have gathered some information. (A presentation was made which is on file in the City Clerk's office). He stated that we have torn down a lot of things that are historical and he feels that needs to change. He has contacted some groups that have a lot of historical things and are interested in this project. He suggested they compile a list and let those citizens know that they can add to the list.

Cleghorn stated there are some employees in the library that he feels are suited to this type of task and they can do the research and get us started on compiling that list.

Hankins stated our library has an outstanding ancestry area.

Ratliff stated he has had a lot of conversations with Council Member Hampton about historic preservation and there were more WPA employees in Oklahoma during the height of the great depression than any other state and many construction projects in this area, to include the Holy City, were built by WPA. It is especially relevant as Oklahomans to preserve this history.

MOVED by Warren SECOND by Burk to direct the City Manager to direct staff to compile a list of significant cultural places, locations, people, to include WPA projects and bring back to council at a future date. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Johnson, Warren. NAY: None. MOTION CARRIED.

17. Consider approving an amendment to an Agreement between the Lawton Fort Sill Chamber of Commerce and the City of Lawton, increasing funding by $100,042 for activities designed to encourage, promote and foster tourism, including elements of economic development related thereto in the City of Lawton, and authorize the Mayor and City Clerk to execute the amendment.

Krista Ratliff, President of the Lawton Fort Sill Chamber of Commerce, stated although the contract is with the Chamber of Commerce, it is a pass-through cost for tourism services with the convention and visitors bureau. She presented an overview of the tourism in Oklahoma. (Her presentation is on file in the City Clerk's Office).

Patty Neuwirth, member of the Convention and Visitors Bureau, stated they are trying to recruit events to Lawton. She stated the funding is a major part of being able to recruit these events and they have had to cut some of that support, and they are afraid they will lose them.

Mark Scott, Chairman of the Board for Lawton Fort Sill Chamber of Commerce, requested the council support the tourism in this community.

Paul Greene, 806 NW 52nd Street, stated the tax was approved by 76% of the public and that is what they were approving.

Burk stated they put this budget together during a COVID year and this comes from an overage because we collected more than what was budgeted. He stated if more money comes in, they should put that towards more events.

Mayor Booker stated they need to get this money to the chamber as soon as possible and he suggested they add this to the agenda for the meeting on Thursday.

Burk stated he does not believe they need another line item approval.

Mayor Booker stated that he understood that they need to amend the budget.

Rogalski stated the budget needs to be modified.

Cleghorn stated the meeting on Thursday is a special meeting and the agenda has been posted.

Ratliff stated they could meet on Friday.

Mayor Booker stated they need to get this money flowing, so they can get five members to show up for a meeting on Friday morning.

MOVED by Burk SECOND by Warren to approve an amendment to an agreement between the Lawton Fort Sill Chamber of Commerce and the City of Lawton, increasing funding by $100,042 for activities designed to encourage, promote and foster tourism, including elements of economic development related thereto in the City of Lawton. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Johnson, Warren. NAY: None. MOTION CARRIED.

STAFF REPORTS:

Department Roundup - Lakes & Community Recreation - Reggie Seaton, Leisure Services Administrator, updated the council on the improvements and projects they are working on and have completed at their recreation facilities. (Presentation is on file in the City Clerk's office)

Finance Report
Don Moore, Finance Director, presented revenue and expenditure highlights for the period ending March 31, 2021. (On file in the City Clerk's office).

The Mayor and Council convened in executive session at 4:41 p.m. and reconvened in regular, open session at 6:19 p.m. Roll call reflected all members present.

EXECUTIVE SESSION ITEMS:

18. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review the employment of Nathan M. Johnson as Municipal Judge, and in open session take other action as necessary.

Ratliff read the title of item #18. No action was taken.

19. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2021-2022 between the International Union of Police Associations (IUPA), Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session.

Ratliff read the title of item #19. No action was taken.

20. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending case in Comanche County District Court of Hilliary Media Group, LLC dba Southwest Ledger v. City of Lawton and Jay Burk, in his official capacity, CV-2021-111, and if necessary, take appropriate action in open session.

Ratliff read the title of item #20. No action was taken.

There being no further business to consider, the meeting adjourned at 6:21 p.m. upon motion, Second and roll call vote.

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STAN BOOKER, MAYOR

ATTEST:

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TRACI HUSHBECK, CITY CLERK