

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
APRIL 28, 2009 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF WINNERS FOR WATER CONSERVATION POSTER CONTEST

PRESENTATION OF TRASH OFF AWARDS

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 MEETING OF MARCH 24, 2009.

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 approval: Brian and Jennifer Seichter in the amount of \$75.00. Exhibits: Legal Opinion/Recommendation.
2. Consider the following damage claims recommended for denial: Takeitha Ewing in the amount of \$649.50, Takeitha Ewing in the amount of \$457.37 and Noel and Cheryl Olmstead in the amount of \$204.78. Exhibits: Legal Opinions/Recommendations.
3. Consider accepting and approving an amended agreement between the Lawton Food 4 Kids, a not-for-profit and the City of Lawton entered into on June 17, 2008, and authorize the Mayor and City Clerk to execute the amended agreement. Exhibits: Amended Agreement with Regional Food Bank for funding the Food 4 Kids Backpack Project on file in City Clerk's Office.
4. Consider approval of the Agreement for Administrative Professional Services with Carly Griffith, to work as a summer Legal Assistant Intern in the City Attorney's Office, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement.
5. Consider accepting a grant from the Oklahoma Department of Libraries in the amount of \$2,995.81 for continuing education for one library staff member. Exhibits: Contract on file in the City Clerk's office.
6. Consider approving submission of the Library Long Range Plan to the Oklahoma Department of Libraries. Exhibits: Long Range Plan is on file in the City Clerk's Office.
7. Consider approving a request to enter into a memorandum of understanding with the Comanche County and the City of Lawton Police Department accepting the conditions of the Justice Edward Byrne Assistance Grant as provided by the 2009 Federal Stimulus Package for Oklahoma. Exhibits: None.

8. Consider adopting a resolution setting the E-911 fee for the period of July 1, 2009, through June 30, 2010. Exhibits: Resolution No. 09-_____ and 2009-2010 Budget Documents.
9. Consider awarding a construction contract to Wittwer Construction Co., Inc. for the Numu Creek Bridge Replacement Project #2008-15. Exhibits: None.
10. Consider awarding a construction contract to B-C Walker, Inc. for the E-911 Dispatch & Operation Center Antenna Tower Project #2009-6. Exhibits: None.
11. Consider rescinding the award of a construction contract to Ark Wrecking Co. of Oklahoma, Inc. for the Abandoned WWTP Demolition Project #2009-3 and authorizing staff to re-advertise the project. Exhibits: Letter dated April 9, 2009, from Ark Wrecking Co. of Oklahoma, Inc.
12. Consider approving Change Order #1 for the Medicine Park Water Treatment Plant Water Storage Tank Project #2008-13 with Preload, Inc. Exhibits: None.
13. Consider approving the record plat for St. James Place, Part 1; accepting the water, sewer, and drainage improvements, escrow agreement in lieu of incompleteness of minor improvements, maintenance bonds, and easements; and granting a revocable permit for parking and maneuvering on the street rights-of-way. Exhibits: Plat Map. Escrow Agreement, Maintenance Bond, Easements, and Revocable Permit on file in City Clerk's Office.
14. Consider granting a Revocable Permit for the construction of a masonry fence along the west side of SW 67th Street adjacent to Oak Pointe Addition, Part 1A. Exhibits: Application, Location Maps and Revocable Permit.
15. Consider approving the record plat for Rolling Hills Development, Part 4A, and accepting the improvements, easements, and maintenance bonds. Exhibits: Plat Map. Maintenance Bond and Easements on file in City Clerk's Office
16. Consider setting a date of June 9, 2009, to hold a public hearing to close the portion of the alley adjacent to Lots 1 – 3, Block 5, McClung Addition, also known as 902 SW Lee Boulevard. Exhibits: Application, Location Map and Responses from Utility Companies.
17. Consider accepting the 8-inch waterline to serve Storage Depot located at NW 40th Street and Rogers Lane, the easement, and the maintenance bond. Exhibits: Location Map Maintenance Bond and Easement on file in City Clerk's Office.
18. Consider approving the construction plat for Scissortail, Part 2. Exhibits: Plat Map.
19. Consider approving the construction plans for a left turn lane on Sheridan Road at Oak Avenue. Exhibits: Location Map.

20. Consider approving contract Amendment #2 with Jacobs Consultancy for the Lawton Bicycle & Pedestrian Plan On-Street Route Implementation, Phase I –Route Study. Exhibits: Amendment to Agreement.
21. Consider extending the contract (RFPCL06-055) HVAC Services with Johnson Controls, Inc. of Oklahoma City, OK. Exhibits: Department Recommendation, Price Sheets, Contract Extension Form.
22. Consider extending the contract (CL08-044) Wrecker Service with Priest Brothers, Inc. of Lawton, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form.
23. Consider extending the contract (RFPCL07-051) Rental or Lease of Work Clothing with Cintas Corp. of Lawton, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form.
24. Consider awarding (CL09-040) Police Vehicle Equipment – Items: 2, 3, 4, 5, 6, 7, 9, & 10 to Adamson Industries Corp. of Haverhill, MA. Exhibits: department recommendation, abstract of bids.
25. Consider awarding (CL09-040) Police Vehicle Equipment – Items: 1 & 8 to Galls, Inc. of Lexington, KY. Exhibits: department recommendation, abstract of bids.
26. Consider approving appointments to boards and commissions. Exhibits: None.
27. Consider approval of payroll for the period of April 6 – 19, 2009.

OLD BUSINESS ITEMS:

28. Consider the following damage claim recommended for approval and consider passage of the resolution authorizing the City Attorney to file a friendly suit for the claim which is over \$400.00: Bryan and Traci Pierce in the amount of \$4,810.00. Exhibits: Legal Opinion/Recommendation and Resolution No. ____.

NEW BUSINESS ITEMS:

29. Hold a public hearing to consider the Consolidated One-Year Action Plan for FFY 2009, receive input from citizens, and provide input for development of the plan. Approve the plan and pass Resolution 09-____ authorizing the execution of the plan and authorizing the Mayor and City Clerk to execute the implementing documents necessary to implement the Consolidated One-Year Action Plan for FFY 2009. Exhibits: Resolution 09-___. A copy of the Consolidated One-Year Action Plan for FFY 2009 (Draft) is on file at the City Clerk's Office.
30. Hear the presentation of the principal owners of the Sanctuary at Granite Ridge, David & Candice McCoy and David Coaker, regarding their development adjacent to Lake Lawtonka and west of Medicine Park. Exhibits: None.

31. Consider an ordinance amending Section 4-2-1-213, Division 4-2-1, Article 4-2, Chapter 4, Lawton City Code, 2005, pertaining to alcohol by amending the procedure for an appeal of an order denying, revoking or suspending a retail dealer's license to sell low-point beer, providing for severability, and declaring an emergency. Exhibits: Ordinance No. 09 ____.
32. Consider an ordinance amending Section 7-30-1-3004, Division 7-30-1, Article 7-30, Chapter 7, Lawton City Code, 2005, pertaining to Businesses by removing the current restriction prohibiting a tattoo parlor within 1,000 feet of a church, school, or playground, providing for severability, and declaring an emergency. Exhibits: Ordinance 09-____.
33. Consider approving an Ordinance pertaining to Business amending Section 7-1-1-109, Division 7-1-1, Article 7-1, Chapter 7, Lawton City Code, 2005, by providing for a late fee in addition to a new license fee when a business is operating on an expired license, providing for severability, and establishing an effective date; and consider approving a Resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, adding a late fee for expired business licenses. Exhibits: Ordinance No. 09-_____, Resolution No. 09-_____.
34. Consider receiving a report on the City's financial condition for the 3rd Quarter of fiscal year 2008-2009, and provide direction to staff. Exhibits: None. Finance report will be provided to the City Council prior to the April 28th Council meeting.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

35. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending further investigation and action regarding the proposed new development on the northwest side of the City of Lawton's Lake Gondola adjacent to Lake Lawtonka known as the Sanctuary of Granite Ridge, and if necessary, take appropriate action in open session. Exhibits: None.
36. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the lawsuit Jamal Lipford vs. City of Lawton, et al., CIV-08-0490-HE, and if necessary, take appropriate action in open session. Exhibits: None.
37. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending lawsuit in the District Court of Comanche County, State of Oklahoma, Jason Pena v. City of Lawton, et al., Case No. CJ-07-1176, and if necessary, take appropriate action in open session. Exhibits: None.

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."

