

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
MAY 9, 2017 – 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
COL Samuel Curtis, Fort Sill Liaison

Mayor Fitch called the meeting to order at 6:04 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Theron Harris, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT: Keith Jackson, Ward Two
Caleb Davis, Ward Three
Jay Burk, Ward Four
Dwight Tanner, Jr., Ward Five
V. Gay McGahee, Ward Seven
Doug Wells, Ward Eight

ABSENT: Bob Morford, Ward One
Cherry Phillips, Ward Six

PROCLAMATION FOR FLOOD AWARENESS MONTH

Mayor Fitch proclaimed the month of May 2017 as Flood Awareness Month. He presented the proclamation to Larry Wolcott, Public Works Director.

AUDIENCE PARTICIPATION:

Pam McCoin, 4450 NW Wolf Creek Boulevard, stated she is concerned about the dog park and she has seen a lot of parents who let their children play in the area. Other parks she has used in the past have had minimum age requirements of 12 years old. She is concerned that toddlers will get hurt by other dogs and she is asking the council to raise the minimum age.

Mayor Fitch stated he agrees with her concerns and will ask staff to look into this issue and perhaps post some signs.

Ms. McCoin stated she is also concerned that we would allow unneutered animals in the park.

CONSENT AGENDA

MOVED by Burk SECOND by Wells to approve the consent agenda. AYE: Jackson, Davis, Burk, Tanner, McGahee, Wells. NAY: None. MOTION CARRIED.

1. Consider the following damage claims recommended for approval: Catherine and James Reynolds in the amount of \$155.00 and Lawton Housing Authority in the amount of \$1,340.00 (**Res. 17-62**). Exhibits: Legal Opinions/Recommendations and Resolution 17-—.
2. Consider the following damage claims recommended for denial: Lamar and Vanessa Burris in the amount of \$2,500.00 and Amanda and Scott Campbell in the amount of \$477.12. Exhibits: Legal Opinions/Recommendations.
3. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of Britt Hubbard. Exhibits: **Resolution 17-63**.
4. Consider awarding a contract for the City of Lawton's Employee Vision Insurance and other voluntary products to MetLife and authorize the Mayor and City Clerk to execute the contract. Exhibits: MetLife Agreement. Benefit and Cost Analysis on file in the City Clerk's Office.
5. Consider renewing the contract for the City of Lawton's Group Health Administration Services and Stop/Loss Administration with Blue Cross and Blue Shield of Oklahoma. Exhibits: Benefit Program Application, Renewal Acknowledgement Form and Performance Guarantees are on file in the City Clerk's office.
6. Consider extending the contract for the City of Lawton's Employee Assistance Program (EAP) to Deer Oaks. Exhibits: Original Contract with optional extensions and rate guarantee through June 30, 2019 are on file in the City Clerk's office.
7. Consider setting the date of June 13, 2017, to hold a public hearing to close the alley in Block 2, Caldwell Addition, located between SW 26th Street and SW 27th Street, W Gore Boulevard and SW Cornell Avenue. Exhibits: Application and Location Map.
8. Consider accepting the maintenance bond and 8-inch waterline improvements to serve Coleman American Moving and Storage located at 2115 SW 6th Street. Exhibits: Location Map. Maintenance Bond is on file in the City Clerk's office.
9. Consider extending contract for (CL15-045) Heavy Wrecker Services to Hat Wrecker Services Inc. of Lawton, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
10. Consider extending contract for (RFPCL16-029) ATM Services to Jamark, LLC of Lawton, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.

11. Consider awarding contract for (CL17-015) Car and Light Truck Wrecker Service to Southern Towing & Recovery of Lawton, OK for items 1 and 2 and Priest Brothers, Inc., of Lawton, OK for item 3. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.
12. Consider awarding contract for (CL17-019) Rock Hauling to Evans Transportation Services, Inc. of Lawton, Oklahoma. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.
13. Consider awarding contract for (CL17-020) Mowing and Litter Area 1 to Adult and Teen Challenge of OK of Cache, OK. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.
14. Consider approving appointments to boards and commissions. Exhibits: None.

Arts and Humanities Council

Rosemary Bellino
New Member

Teresa Abram
New Member

15. Consider approval of payroll for the periods of April 24 – May 7, 2017.

NEW BUSINESS ITEMS:

16. Consider an ordinance pertaining to Municipal Government Organization amending Section 2-1-1-105, Division 2-1-1, Article 2-1, Chapter 2, Lawton City Code, 2015, by authorizing the filing period for municipal office to be set according to dates set forth in the resolution adopted by the City Council calling the election, providing for severability, and establishing an effective date. Exhibits: Ordinance 17-__.

Scott Meaders, Deputy City Attorney, stated in November 2016 the voters approved some amendments to the charter and one amendment allowed the city's election primary date to be shifted from the state primary date which is in June of each year to a date that would be specified according to city code. This will amend Section 2-1-1-105 to shift the primary election date so that it is set forth in the resolution calling for the election and that will allow us the flexibility to identify the filing period dates so that they are a little closer to when the primary is actually held. The primary is set for August in even number years and September in odd number years. The resolution will be presented to council annually in the June time frame with a filing period sometime in July in most years. Doing it this way will provide for flexibility so that we can make sure those dates that are put in the resolution correspond with the state election calendar. He stated if there are any future changes to state law it will provide for flexibility.

MOVED by Wells **SECOND** by McGahee to adopt **Ordinance 17-17**, 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, McGahee, Wells. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 17-17

An ordinance pertaining to municipal government organization amending Section 2-1-1-105, Division 2-1-1, Article 2-1, Chapter 2, Lawton City Code 2015, by authorizing the filing period for municipal office to be set according to dates set forth in the resolution adopted by the city council calling the election, providing for severability, and establishing an effective date of thirty days from today.

Mayor Fitch stated they are going to strike item #17. There are quite a few communities that are talking about adopting these codes and there are a lot of communities that are not even up to the level to adopt these codes and we want to understand the consequences for and against the adoption of the 2015 codes.

17. Consider approving an ordinance adopting the 2015 editions of the International Codes previously adopted by the State of Oklahoma, specifically the International Building Code, International Residential Code, International Mechanical Code, International Plumbing Code, International Fuel Gas Code, International Fire Code, International Existing Building Code, International Property Maintenance Code and the 2014 edition of the National Electrical Code, all as amended by the Oklahoma Uniform Building Code Commission, by amending Sections 6-1-1-101 through 6-1-1-106, 6-2-1-201 through 6-2-1-203, 6-2-1-214, 6-2-1-215, 6-3-1-301, 6-3-1-302, 6-4-1-401 through 6-4-1-403, 6-4-1-406 through 6-4-1-408, 6-5-1-501 through 6-5-1-505, 6-5-2-221 through 6-5-2-223, 11-2-201, 11-2-208, 11-2-209 and 11-2-216, Lawton City Code, 2015, providing for codification, severability and establishing an effective date of July 1, 2017. Exhibits: Ordinance 17-__.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

Wells stated the LPS Foundation had a dinner last Thursday night and it was marvelous. He stated the foundation raises funding for teachers and students. He stated Dr. Bellino has contacted him about the landscaping around the VA center. Their sprinkler system is not working. Dr. Bellino is trying to get a work party together to clean up the grounds and also raise some funding to repair the sprinkler system.

McGahee invited the citizens of Ward 7 to town hall meetings on May 25th at 6:30 p.m. at Great Plains Technology Center in building 700, on June 29th at Friendship Missionary Baptist Church and again on July 20th at Galilee Missionary Baptist Church.

Tanner stated he attended the ribbon cutting on 2nd Street and now we have connectivity. We have a sidewalk that goes all the way from Fort Sill down to the center part of town. It is about 2 ½ miles. He stated he had a citizen that has rented a piece of property on the east side of Railroad Street and it is a company that packages bottled water and sends it out. Because of

what they are doing they needed to run a 2-inch water line so they looked into the permits and he didn't have any problem with those costs, but they hit him with the impact fees which were \$4,000 on the water line and \$4,000 on the sewer line. Things like this could be a deal killer and he would like to look into addressing these impact fees. He would like to form a council committee to look at these impact fees.

Mayor Fitch stated we have an impact fee committee in place and they can look at this issue.

Tanner stated there is a shortfall in water sales and they need to do anything they can do to get meters on line.

Davis stated there was a city lawn mowing crew in Ward 3 that he caught doing a fabulous job. He passed this along to the Parks and Recreation Director. He stated he held his first Ward 3 meeting a couple weeks ago and the follow up meeting will be May 30th at 6:30 p.m. in City Hall and they will discuss the road selection process.

Jackson stated occasionally on social media there is critical attention given regarding our town. Over the weekend he actually drove the town to look and fortunately the mowing crews had been working and Lawton really looked nice. He would put our city's cleanliness and beautification up against any cities in the state of Oklahoma. Our town really looks good. He stated we are really starting to get aggressive with dilapidated properties and he feels we are on the right road.

Mayor Fitch thanked the citizens and businesses for taking pride in their community.

Ihler stated the City Engineer received an invoice from the Oklahoma Department of Transportation today for the SE 45th Street project. They have to have the check on hand prior to their pre-bid conference for the bid letting. This is a joint project between the state and the city and there was a cap of up to a maximum of \$6 million from the state and federal funds. Our invoice was for \$ 4,467,748. The federal government cap that they will provide for the project is not quit the \$6 million we hoped for, but they are providing \$5,440,000 for that project. The pre bid is July 7th and the bid opening will be July 20th and the commission should approve it at their August 7th meeting.

Ihler introduced Tiffany Vrska, the new Community Relations Director.

Wells stated he would be happy to volunteer to sit on the Impact Fee committee.

Ihler stated they would like to schedule a budget workshop on Tuesday, May 16th at 1:30 p.m.

The Mayor and Council convened in executive session at 6:26 p.m. and reconvened in regular, open session at 7:56 p.m. Roll call reflected all members present excluding Tanner.

EXECUTIVE SESSION ITEMS:

18. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending case in United States District Court for Western

District of Oklahoma of Tony L. Kemp vs. City of Lawton, and five police officers, CIV-17-306, and if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item #18.

MOVED by Wells SECOND by McGahee to retain Clay Hillis to represent officers sued in their individual capacities in the federal lawsuit filed in the Western District of Oklahoma styled Tony L. Kemp vs. City of Lawton et al and authorize the Mayor and the City Clerk to execute a retainer agreement at the rate of \$125 per hour. AYE: Jackson, Burk, McGahee, Wells. NAY: None. ABSTAIN: Davis. MOTION CARRIED.

19. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations regarding for a Collective Bargaining Agreement for FY 2017-2018 between the International Association of Fire Fighters (IAFF), Local 1882, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None.

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

20. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2017-2018 between the International Union of Police Associations (IUPA), Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None.

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

There being no further business to consider, the meeting adjourned at 7:58 p.m. upon motion, second and roll call vote.

FRED L. FITCH, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK