

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
MAY 13, 2008 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

RECOGNITION OF CONTRIBUTION BY T & S PRINTING FOR DISC GOLF COURSE
SIGNAGE IN ELMER THOMAS PARK

PRESENTATION OF CITIZEN OF THE MONTH FOR MAY TO LINDA BENDER

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.

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 resolution authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: American Electric Power Co. in the amount of \$2,164.00, American Power Electric Co. in the amount of \$624.00, Troy and Chong Matthews in the reduced amount of \$2,448.85, and Dallas and Karen Howard in the amount of \$244.90. Exhibits: Legal Opinions/Recommendations, Resolution No.____, Resolution No.____, Resolution No.____.
2. Consider the following damage claims recommended for denial: Candy and Earl Thomas in the amount of \$422.71 and Joyce A. Smith in the amount of \$60.00. Exhibits: Legal Opinions/Recommendations.
3. Consider approval of the Retainer Agreement for Legal Services between the City of Lawton and Sue Taylor and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Retainer Agreement for Professional & Legal Services on file in City Clerk's Office.
4. Consider approval of the Retainer Agreement for Legal Services between the City of Lawton and Leah S. Terrill-NesSmith and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Retainer Agreement for Professional & Legal Services on file in City Clerk's Office.
5. Consider approval of the Agreement for Administrative Professional Services with Bethany Schuler, to work as a Legal Assistant Intern in the City Attorney's Office, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement.
6. 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 Michael Brown in the Workers' Compensation Court, Case No. 2007-10471 J. Exhibits: Resolution No. 2008-_____.

7. 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 Randy Britton in the Workers' Compensation Court, Case No. 2007-12855 F. Exhibits: Resolution No. 2008-_____.
8. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in filing and making payment of two judgments in the Workers' Compensation cases of Jerry Shively in the Workers' Compensation Court, Case No. 2006-06797 J and Case No. 2006-11440 R. Exhibits: Resolution No. 2008-___; Resolution No. 2008-___.
9. Consider approving an Agreement for Limited Services between the Lawton Heritage Association and the City of Lawton to provide financial assistance for the Historic Mattie Beal Home located at 1006 SW Summit Avenue. Exhibits: Agreement for Limited Services.
10. Consider voiding the individual outside water sales contract between Tina Chandler and the City of Lawton and authorize a refund of her application fee. Exhibits: None.
11. Consider approving an Amendment to the Outside Water Sales Contract with Dustin Lorenzen and Nichole Scruggs, and authorize the Mayor and City Clerk to execute the Contract. Exhibits: Contract is on file in the City Clerk's Office.
12. Consider approving an Amendment to the Outside Water Sales Contract with Dayman and Linda Reinwand, and authorize the Mayor and City Clerk to execute the Contract. Exhibits: Contract is on file in the City Clerk's Office.
13. Consider approving an energy performance contract with Chevron Energy Solutions Company to make improvements to various City facilities and processes to save energy and the costs associated, and authorize the Mayor and City Clerk to execute the Contract. Exhibits: Contract is on file in the City Clerk's Office.
14. Consider awarding a contract to J. L. Walker Construction Inc., Oklahoma City, for the Lawton City Offices Phase II, Original Lawton High School, Lawton, Oklahoma, and authorize the Mayor and City Clerk to take appropriate action as deemed necessary. Exhibits: A copy of the Agreement may be reviewed in the City Clerks Office. Bid Tab Sheet for Phase II, Meyer Architecture Plus, April 3, 2008, Pricing Deduction Break Down, Meyer Architecture Plus, April 22, 2008, Letter from McMahon Foundation, dated May 6, 2008, Letter to CCIDA, dated January 31, 2008 and Letter from AEP Foundation, dated January 2, 2008.
15. Consider approving and authorizing the Mayor to sign the attached Memorandum of Agreement for the Construction and Operation of Building #900 (E-911 Dispatch/Emergency Operations Center). Exhibits: Memorandum of Agreement for the Construction and Operation of the Building. Memo from Emergency Communications Supervisor Derrell Morgan to Police Chief Ronnie Smith.
16. Consider approving and authorizing the Mayor to sign the attached Memorandum of Agreement with the Oklahoma Emergency Medical Services Authority. Exhibits: Memorandum of Agreement with the Oklahoma Emergency Medical Services Authority.

17. Consider approving a Cooperative Purchase agreement between the City of Lawton, The Board of Realtors, Lawton Oklahoma, in the procurement of materials for the construction of a playground, to be located in a section of land located in Elmer Thomas Park between 2nd and 3rd Streets south of the Holiday House and authorize the Mayor and the City Clerk to execute the same. Exhibits: Cooperative Purchase Agreement and Letter of Request.
18. Consider approving the lease agreement between the City of Lawton and the Crossroads Youth and Family Services Center, Inc., dba, Crossroads Head Start/ Early Head Start. Exhibits: Lease Agreement.
19. Consider approving the fee structure established by the YMCA to cover the cost of operation for the municipal swimming pool in Mattie Beal Park. Exhibits: Lawton YMCA fee structure.
20. Consider adopting a resolution designating places and times within municipal jurisdiction to discharge fireworks on July 4, 2008. Exhibits: Resolution No. 08-_____.
21. Consider accepting an agreement with Dan Wigington for appraisal services, and authorize the Mayor and City Clerk to execute the agreement. Exhibits: Agreement is on file in the City Clerk's office.
22. Consider approving the application for a Lease-Purchase Agreement for the construction of approximately 845 linear feet of 12" diameter water main located along SW Bishop road, just east of SW 67th Street. Exhibits: Application for Lease-Purchase Agreement.
23. Consider granting a revocable permit to use a portion of the NW 25th Street right-of-way north of Gore Boulevard for parking and maneuvering. Exhibits: Application and Revocable Permit.
24. Consider accepting the 6-inch waterline crossing Gore Boulevard and serving a fire hydrant located #1 SW 11th Street and accepting the maintenance bond. Exhibits: Location Map. Maintenance Bond is on file in the City Clerk's Office.
25. Consider acknowledging receipt of a Tier 1 permit from the Oklahoma Department of Environmental Quality for the construction of 250 linear feet of 8-inch PVC water line and all appurtenances to serve Switzer's Locker Room located at 602 SW 82nd Street in the NW/4 of Section 32, T2N, R12W, I.M., Comanche County, Oklahoma. Exhibits: Permit to Construct on file in the City Clerk's Office.
26. Consider awarding (CL08-046) Dispatch Console Workstation to Viking Acoustical Corporation of Lakeville, MN. Exhibits: Department recommendation, abstract of bids.
27. 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.

28. Consider awarding (CL08-049) Nomex Uniforms to Wayest Safety Inc. of Oklahoma City, OK. Exhibits: Department recommendation, abstract of bids.
29. Consider extending the contract (RFPCL06-051) Employee Physicals/Drug Screen Testing with The Center for Occupational Health (Comanche County Memorial Hospital) of Lawton, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form.
30. Consider extending the contract (CL06-042) Library Book Contract with the following vendors:
1) Davidson Titles, Inc. of Jackson, TN – Items 1-3, 6-7, 11, 14-18, 22-28, 31, 2) The Gale Group of Farmington Hills, MI – Items 2-4, 6-7, 13, 15, 21, 23-24, 3) The H.W. Wilson, Company of Bronx, NY – Item 15, 4) The Penworthy Company of Milwaukee, WI – Items 22-24, 5) Publishers Quality Library Service of Crete, IL – Items 24-25, 6) Recorded Books LLC of Prince Frederick, MD – Items 26, 31, 7) Regent Book Company of S. Hackensack, NJ – Items 1-9, 11-12, 14-24, 26-28, 31-32, 8) Rourke Publishing LLC of Vero Beach, FL – Items 24-32, 9) Salem Press, Inc. of Hackensack, NJ – Item 15, 10) Scholastic Library Publishing, Inc. of Danbury, CT – Items 3, 6, 11, 15, 22, 24, 26-28, 31, 11) Borders, Inc. of Ann Arbor, MI – Items 1-9, 11-12, 14-26, 28, 31. Exhibits: Department Recommendation, Price Sheets, Contract Extension Forms.
31. Consider approving appointments to boards and commissions. Exhibits: None.
32. Consider approval of payroll for the period of April 21 – May 4, 2008.

OLD BUSINESS ITEMS:

33. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, to establish fees for parades and public assemblies; and consider approving a resolution amending Appendix B, Bond Schedule, Lawton City Code, 2005, to establish facilities damage bonds. Exhibits: Resolution No. 2008-_____; Resolution No. 2008-_____.
34. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, to establish miscellaneous fees for special recreational events, and establish an effective date. Exhibits: Resolution No. 2008-_____.
35. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, by establishing a fee for sound truck/sound amplification equipment permit per hour; and consider approving a resolution amending Appendix B, Bond Schedule, Lawton City Code, 2005, to establish a bond for sound truck/sound amplification equipment. Exhibits: Resolution No. 2008-_____; Resolution No. 2008-_____.
36. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, to establish fees for the requested dumpster size and the number of dumps per day needed for special events, and establish an effective date. Exhibits: Resolution No. 2008-_____.

NEW BUSINESS ITEMS:

37. Hold a public hearing and consider an ordinance amending Section 18-1-1-114 amending the procedures for rezoning of property to provide additional site plan requirements and expiration and reversion of rezonings for tracts less than five acres or any size tract adjacent to existing R-1 districts or existing single-family residential uses and adding Section 18-1-1-114.1 establishing the procedure for review of amended site plans for rezonings, Chapter 18, Lawton City Code. Exhibits: Ordinance No. 08-____, CPC Minutes and Matrix.
38. Hold a public hearing to consider Consolidated One-Year Action Plans for FFY 2007, Change 1; FFY 2005, Change 3; and FFY 2004, Change 6; receive input from citizens, and authorize the Mayor and City Clerk to execute the implementing documents. Exhibits: Exhibit A: The Consolidated One-Year Plan Changes for FFY 2007, Change 1; FFY 2005, Change 3; and FFY 2004, Change 6.
39. Consider adopting an ordinance pertaining to utilities amending Sections 7-19-1-1901 and 1902, Division 7-19-1, Article 7-19, Chapter 7; Section 22-4-1-402, Division 22-4-1, Article 22-4, Chapter 22; and adding Section 22-4-1-416, Division 22-4-1, Article 22-4, Chapter 22, Lawton City Code, 2005, by requiring any and all solid waste generated within the City be deposited at the City of Lawton landfill and a permit be obtained prior to the collection and hauling of such waste, providing for severability, codification, and establishing an effective date; and consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, to establish a fee for commercial or private haulers to transport waste and refuse to landfill. Exhibits: Ordinance 2008-____; Resolution 2008-____.
40. Consider adopting an ordinance pertaining to offenses and crimes, creating Section 16-6-1-621, Division 16-6-1, Article 16-6, Chapter 16, Lawton City Code, 2005, by prohibiting any person from willfully bypassing a security checkpoint, prohibiting any person from assisting another in bypassing a security check point, providing for a penalty for such violations, further providing for severability, codification and declaring an emergency. Exhibits: Ordinance 2008-____.
41. Consider adopting Resolution 08-____ approving a Brownfields Economic Development (BEDI) Grant Agreement with the U.S. Department of Housing and Urban Development for Grant No. B-06-BD-40-0006 in the amount of \$1,000,000, authorizing the Mayor and City Clerk to sign the implementing documents, and authorizing submission of the agreement to HUD for final approval and funding. Exhibits: Resolution 08-____. Brownfields Economic Development (BEDI) Grant Agreement for Grant No. B-6-BD-40-0006 is on file in the City Clerk's office.
42. Consider adopting Resolution 08-____ approving a Section 108 Contract for Loan Guarantee Assistance through the U.S. Department of Housing and Urban Development (HUD) in the amount of \$2,000,000, authorizing the Mayor to execute all necessary loan documents, and authorizing submission of said loan documents to HUD for final approval and funding. Exhibits: Resolution No. 08-____. The HUD Transmittal Letter; Contract for Loan Guarantee Assistance; Pledge, Assignment and Security Agreement; Note; City Attorney's Legal Opinion; and other miscellaneous loan documents are on file in the City Clerk's office.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

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."