



City of Lawton

City Council

Agenda

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma
73501-3944

Tuesday, May 14, 2024

2:00 PM

Lawton City Hall
Council Chambers/Auditorium

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

"Official action can be taken only on items which appear on the agenda. The Council may adopt, approve, ratify, deny, defer, recommend, or continue any agenda item. The Council may also propose and enact floor amendments to any matter presented before them. When more information is needed to act on an item, the Council may refer the matter to the City Manager or the City Attorney. The Council may also refer items to standing committees of the Council or a board, commission, or authority for additional study. Under certain circumstances, items are deferred to a specific later date or stricken from the agenda entirely."

ROLL CALL

PROCLAMATION:

Asian American & Pacific Islander Heritage Month
National Police Week

REPORTS: MAYOR/CITY COUNCIL

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. The Mayor and Council will receive comments from audience members. Council may recommend to the individual or group as to what action they should take, i.e., refer the situation to a particular department or person at the city offices. Each speaker will have a 3-minute time limit, each topic will have a 9-minute time limit, and Audience Participation will be limited to 30-minutes in total.

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 approving a pending tort claim (recommended for approval) and a resolution authorizing payment for Anthony Fancher in the amount of \$8,502.72 and authorizing the City Attorney to prepare and file said resolution and all appropriate settlement documents for the Court's approval. [24-1543](#)

Attachments: [DC-2024-013, Fancher, Anthony](#)
[DC-2024-013, Fancher, Anthony-Resolution and Warrant of Attorney](#)

2. Consider the following damage claims recommended for denial: Aldean [24-1526](#)

McMullen in the amount of \$291.42, and City of Geronimo in the amount of \$606.23.

Attachments: [DC-2024-010, McMullen, Aldean-Memorandum](#)
[DC-2024-011, City of Geronimo-Memorandum](#)

3. Consider adopting a resolution approving the joint petition settlement in the amount of \$11,664.00 and making payment in the workers' compensation claim of Richard Taylor. [24-1524](#)

Attachments: [Taylor-Resolution](#)

4. Consider adopting a resolution approving the joint petition settlement in the amount of \$10,504.00 and making payment in the workers' compensation claim of Tanner Josey. [24-1525](#)

Attachments: [Josey-Resolution](#)

5. Consider approving a resolution authorizing an amendment to the City of Lawton Investment Policy. [24-1510](#)

Attachments: [Investment Policy Change Resolution 05.14.24](#)
[Investment Policy Edits 05.14.24](#)

6. Consider adopting a resolution approving certain new and revised pages in the form of a book entitled Volumes I and II to the City of Lawton Municipal Code, 2015, printed and designated as the 2021-2022 Biennial Supplement, known as Supplements No. 7 and 8 to the Lawton City Code, 2015, and authorizing distribution. [24-1506](#)

Attachments: [7 and 8 Approving Res](#)

7. Consider approving a resolution directing the City Clerk to notify the public of the publication of the 2021-2022 Biennial Supplement, known as Supplements No. 7 and 8 to the Lawton City Code, 2015 and further directing the City Clerk to file certified copies of this resolution and copies of Supplements No. 7 and 8 to the Lawton City Code, 2015 with designated governmental entities as required. [24-1507](#)

Attachments: [7 and 8 Directing Res](#)

8. Consider approving Amendment No. 1 and Change Order No.1 for MTZ Construction, Inc. on Engineering Project EN1707P2A - 2017 Ad Valorem Street and Roads Program (Residential), [24-1473](#)

Attachments: [EN1707P2A_CO 1 - Narrative \(003\).pdf](#)
[Change Order No. 1 - Phase II-A - Signed.pdf](#)
[Executed Contract - MTZ Construction.pdf](#)

9. Consider and take action approving Amendment No. 5 to the Master Services Agreement with Garver, LLC, in the amount not to exceed \$457,388 conditional on Debt forgiveness funding from the Oklahoma Department of Environmental Quality for Professional Engineering Services to develop a [24-1518](#)

feasibility study and green sand pilot for Manganese treatment for City of Lawton's drinking water source .

Attachments: [Amendment No. 5- Lawton Manganese Treatment-Signed B-2 Scope of Services](#)
[Exhibit B3 - Fee Schedule](#)

10. Consider approving an amendment to the fiscal year 2024 Partnership Support Agreement with McMahon Auditorium Authority specifically for repair, renovation, restoration and maintenance of Carnegie Library and the National Guard Armory building. [24-1544](#)

Attachments: [First Amendment to the Fiscal Year 2023_2024 MAA Partnership Support Agreement](#)
[FYE 6-30-24 AMENDED MAA BUDGET](#)

11. Consider and take action approving Change Order 1 increasing the contract by \$1,037,837.91 and adding 180 calendar days to the project time for WWTP Phase I Improvements Project PU2103 as constructed by Wynn Construction, Co, to replace three unserviceable blowers with Four new blowers at the WWTP, with a final contract amount of \$84,817,891.91, a 1.2% increase to the original contract. [24-1512](#)

Attachments: [Change Order 01 PU2103](#)

12. Consider awarding RFPCL24-017 City of Lawton Security Contract to Triangle Security Services, LLC of Lawton, Oklahoma for purposes of providing security personnel at City Hall and other city facilities as needed. [24-1552](#)

Attachments: [Abstract.docx](#)

13. Consider approving the renewal of the contract with Zurich to provide Accidental Death and Dismemberment and Loss of Use coverage for City of Lawton employees effective July 1, 2024, and authorize the Mayor and City Clerk to execute the contract. [24-1505](#)

Attachments: [Zurich AD&D](#)
[Zurich Renewal FY25](#)

14. Consider approving the renewal of the contract with Blue Cross Blue Shield of Oklahoma to provide a health care coverage package (i.e. medical, vision, dental, Group Life & AD&D, Short-Term and Long-Term Disability, Accident, Critical Illness and MD Live insurance) to eligible City of Lawton employees and eligible retiree's effective July 1, 2024, and authorize the Mayor and City Clerk to execute the contracts. [24-1514](#)

Attachments: [COL Premium Breakdown 2024.2025](#)
[BCBS Renewal Package FY25](#)

15. Consider renewing a contract with Colonial Life, to include any floor amendments that may be necessary, to provide the following coverages; Life Insurance, Term Life, Cancer and Confinement Indemnity Insurance effective [24-1538](#)

July 1, 2024, and authorize the Mayor and City Clerk to execute the renewals.

Attachments: [Colonial Renewal FY2025](#)

[Original Hosptial \(\\$500\) Group Master Policy GMB7000 G0052291](#)

[Original Hosptial \(\\$1000\) Group Master Policy GMB7000 G0052292](#)

16. Consider renewing the contract with PVCS Primary Vision Care Services, Inc. to provide vision insurance coverage to eligible City of Lawton employees effective July 1, 2024 and authorize the Mayor and City Clerk to execute the contract. [24-1532](#)

Attachments: [2024 City of Lawton PVCS Contract](#)

17. Consider renewing an agreement with MASA, Medical Transport Solutions for Medical Transportation Coverage for eligible City of Lawton employees effective July 1, 2024, and authorize the Mayor and City Clerk to execute the contracts. [24-1533](#)

Attachments: [MASA](#)

18. Consider renewing coverage with Nationwide for group voluntary pet insurance coverage to eligible City of Lawton employees effective July 1, 2024. [24-1534](#)

Attachments: [Approved - Nationwide Pet Insurance Proposal - City of Lawton](#)
[Nationwide Pet Insurance Email](#)

19. Consider renewing an agreement with Aetna for Employee Assistance Program Services to eligible City of Lawton employees effective July 1, 2024 and authorize the Mayor and City Clerk to execute the renewal. [24-1537](#)

Attachments: [Aetna Renewal FY25](#)

20. Consider renewing the contract with LegalShield to provide legal and identity protection to eligible City of Lawton employees effective July 1, 2024, and authorize the Mayor and City clerk to execute the contracts. [24-1531](#)

Attachments: [LegalShield](#)

21. Consider renewing a professional services agreement for bond counsel services with Floyd & Driver Law Firm, PLLC, of Norman, OK. [24-1539](#)

Attachments: [Floyd & Driver Contract Renewal FY 2024-2025](#)
[23-24 Floyd & Driver Executed Agreement](#)

22. Consider entering into a contract with NueSynergy for services to our employees. Services include Health Care Flexible Spending Account (FSA), Dependent Care FSA and COBRA. The contract will become effective July 1, 2024. Authorize the Mayor and City Clerk to execute the contract. [24-1547](#)

Attachments: [NueSynergy Contract FY25](#)

23. Consider awarding a construction contract to 4X Construction Group, LLC [24-1497](#)

on Project PW2101 Landfill Cells 6 & 7 in the amount \$3,841,081.25

Attachments: [L2024.04.25 City of Lawton Cells 6&7 Bid Award Recommendation](#)

24. Consider awarding a construction contract to T&G Construction, Inc. [24-1520](#)
Engineering Project EN2002B Phase I, Goodyear Blvd Reconstruction from
the Railroad Crossing to Cache Rd. in the amount \$4,982,600.16

Attachments: [Recommendation Letter_Signed](#)
[EN2002B_Phase 1_Bid Tabs](#)

25. Consider approving a Support Agreement with Might CDRC and allocate to
Might CDRC an amount up to \$75,000.00 from the PROPEL CIP in
accordance with the intent of Resolution 23-75, Section C.5 to provide
funding for youth programs, as recommended by the Youth and Family
Affairs Committee. [24-1513](#)

Attachments: [MIGHT_Support Agreement](#)

26. Consider approving a Support Agreement with Harvest Plenty House of
Prayer for their Chisholm Trail Summer Camp: Riding into STEM and
allocate to Harvest Plenty House of Prayer an amount up to \$43,970.00 from
the PROPEL CIP in accordance with the intent of Resolution 23-75, Section
C.5 to provide funding for youth programs, as recommended by the Youth
and Family Affairs Committee. [24-1516](#)

Attachments: [Harvest of Plenty_Support Agreement](#)

27. Consider approving a Limited Support Agreement between H.E.L.P.
Advocacy Center of Southwest Oklahoma and the City of Lawton in the
amount of \$15,000.00 to fund activities designed to identify and assist with
the operation of a safe, trauma informed space for sexual assault victims to
come and receive multi-agency care and support and authorize the Mayor and
City Clerk to execute the Agreement. [24-1517](#)

Attachments: [Limited Support Agreement for HELP Advocacy Center](#)

28. Subject to the approval of an Agreement for Limited Event Support between
the City of Lawton and the LaSill City-Wide Juneteenth Committee,
Incorporated, consider approving a resolution amending the City of Lawton
FY 2023-2024 budget, as amended, by appropriating \$7,000.00 to the
Hotel/Motel Fund for the organization and hosting of Juneteenth events by
the LaSill City-Wide Juneteenth Committee, Incorporated. [24-1565](#)

Attachments: [05.14.24 Juneteenth Resolution](#)

29. Subject to the approval of a budget amendment, consider approving an
Agreement for Limited Event Support between the City of Lawton and the
LaSill City-Wide Juneteenth Committee, Incorporated in the amount of
\$7,000.00 and take action as deemed necessary. [24-1561](#)

Attachments: [LaSill City-Wide Juneteenth Committee Incorporated Juneteenth 2024 Limited Support Agreement](#)

30. Consider approving the Memorandum of Understanding agreement between the City of Lawton and Department of Transportation of the State of Oklahoma for the purpose of right of way utilization for project EN2401-Lake Helen Trail. [24-1509](#)

Attachments: [Proposed ROW use agreement GC revised 4-22-24](#)

31. Consider approving a Consent and Crossing Agreement with Comanche Renewables, LLC for installation and maintenance of landfill gas pipelines proposed to cross existing easements containing city utilities. [24-1540](#)

Attachments: [Comanche Renewables -- Consent and Crossing Agreement -- Exhibit A+B -- Executed 050324](#)

32. Consider approving the construction replat for Lots 12-16, Block 111 & Lots 1-5, Block 112, Lawton View Addition, subject to conditions and take appropriate action as deemed necessary. [24-1541](#)

Attachments: [Replat of Lots 12-16, Block 111 & Lots 1-5 Block 112, Lawton View Addition](#)
[CPC Minutes April 25, 2024](#)

33. Consider and ratify the action of the Lawton Water Authority accepting a State Competitive ARPA grant through the Oklahoma Water Resources Board in the amount of \$2,000,000.00. The Grant funds are designated for the construction of a dewatering facility at the Southeast Water Treatment Plant. [24-1535](#)

Attachments: [The Lawton Water Authority Approval Letter](#)
[The Lawton Water Authority EFT](#)
[The Lawton Water Authority Agreement](#)
[3.C.6.i. EXECUTED Board Order LAWTON WATER AUTHORITY - ARP-23-0291-G](#)

34. Consider a request to pay a fee in lieu of onsite stormwater detention for the single-family residential building permit located at 4989 SW Bishop Road in the amount of \$630.00. [24-1491](#)

Attachments: [SW Site Review - 4989 SW Bishop Road Morales House 2024](#)
[4989 SW Bishop Rd ROW Ltr](#)
[4989 SW Bishop Road Boundary Survey](#)
[4989 SW Bishop Road Site Plan](#)
[Flood Map 4989 SW Bishop Road](#)
[SM Memo - Fee-in-lieu of Detention 4989 SW Bishop Road](#)

35. In recognition of the McMahon Foundation's contributions in support of the construction of the Playground in the Park, and the All-Inclusive expansion scheduled for completion by June 2024 at Elmer Thomas Park, consider approval of the naming of the playground areas as "McMahon Playground in [24-1545](#)

the Park.”

36. Consider repealing Council Policy 4-3 Municipal Securities Disclosure Policy and renumbering it to Council Policy 2-9 Municipal Securities Disclosure Policy, given that the Municipal Securities Disclosure duties are housed in the Legal Department. [24-1494](#)

Attachments: [Council Policy 2-9](#)

37. Consider approving appointments to boards and commissions. [24-1574](#)

Attachments: [Board Appointments- 05.14.24](#)

BUSINESS ITEMS:

38. Consider approving a Resolution fixing the amount of General Obligation Bonds, Series 2024, to mature each year; fixing the time and place the bonds are to be sold; designating a paying agent/registrar; approving the preliminary official statement and distribution thereof; ratifying and confirming a continuing disclosure agreement; authorizing the clerk to give notice of said sale as required by law and fixing other details of the issue. [24-1527](#)

Attachments: [10 Resolution Authorizing Sale of the Series 2024 Bonds](#)

39. Consider approving a resolution, to include any floor amendments, amending Resolution 23-145 and establishing a revised annual funding allocation for hotel/motel tax collections received by the City of Lawton. [24-1569](#)

Attachments: [Hotel Motel Resolution 24-
EXHIBIT A](#)

40. Receive public comments on the usage and allocation of unallocated sales tax revenue projected to be received from July 1, 2023 to June 30, 2024. These unallocated funds are estimated to be \$7,212,430 at June 30, 2024. [24-1486](#)

Attachments: [Resolution of Intent No. 23-75
2024 Monthly Sales Tax Analysis](#)

41. Hold a public hearing and consider a resolution amending the 2030 Land Use Plan for the City of Lawton from Residential/High Density to Commercial for the property located at 6206 NW Ferris Avenue, Lawton, OK, 73505, said amendment related to a companion rezoning request from Spread the Word Ministries Worship Center to allow for an event center on the property; and take appropriate action as deemed necessary. [24-1542](#)

Attachments: [Resolution No. 24-](#)
[Location Map 6206 NW Ferris](#)
[Site Plan](#)
[CC Notice Rezone and ALUP \(6206 NW Ferris\) EXECUTED](#)
[CC Newspaper Notice Rezone and ALUP \(6206 NW Ferris\) EXECUTED](#)
[Analysis \(6206 NW Ferris Ave\) 2024-0404](#)
[04.11.2024 CPC Minutes](#)

42. Hold a public hearing and consider a ordinance for a rezoning request from Spread the Word Ministries Worship Center for the property located at 6206 NW Ferris Avenue, Lawton, OK 73505, changing the zoning from R-3 Multiple-Family Dwelling to C-4 Tourist Commercial District zoning classification for an event center, and take appropriate action as deemed necessary. [24-1546](#)

Attachments: [Ordinance No. 24-](#)
[Location Map 6206 NW Ferris](#)
[Site Plan](#)
[CC Notice Rezone and ALUP \(6206 NW Ferris\) EXECUTED](#)
[CC Newspaper Notice Rezone and ALUP \(6206 NW Ferris\) EXECUTED](#)
[Analysis \(6206 NW Ferris Ave\) 2024-0404](#)
[04.11.2024 CPC Minutes](#)

43. Consider whether to approve the property owner to continue remodeling the structure located at 1511 SW Texas Avenue per Section 6-1-1-108 Section D that states after 180 days the property will go back to City council for specific authorization by the Council. [24-1482](#)

Attachments: [Photos of Property](#)

44. Consider an ordinance amending Personnel Policies and Procedures, Section 17-1-4-139, Division 17-1-4, Article 17-1, Chapter 17, Lawton City Code, 2015, by amending Stand-by Pay Differential to allow a general employee to earn fifteen percent (15%) for standby pay; providing for severability and establishing an effective date. [24-1443](#)

Attachments: [Standby Pay Ordinance and Gist](#)

45. Consider an ordinance pertaining to Personnel Policies and Procedures, relating to Definitions, amending Section 17-1-1-102, Division 17-1-1, Article 17-1, Chapter 17, Lawton City Code 2015, by clarifying introductory employee is synonymous with probationary employee and introductory status or period is synonymous with probationary status or period, reducing the introductory period to six months, including unborn children as immediate family, providing for severability, and establishing an effective date. [24-1499](#)

Attachments: [Intro Definitions](#)

46. Consider an ordinance pertaining to Personnel Policies and Procedures, relating to Introductory Status, amending Sections 17-1-4-137 and [24-1504](#)

17-1-4-137.2, Division 17-1-4, Article 17-1, Chapter 17, Lawton City Code, 2015, by reducing the introductory period or introductory status from twelve months to six months, providing for severability, and declaring an effective date.

Attachments: [Intro Status](#)

47. Consider an ordinance pertaining to Crimes and Offenses, amending Section 16-3-1-316, Division 16-3-1, Article 16-3, Chapter 16, Lawton City Code, 2015, relating to trespassing by adding an innkeeper as one who can eject persons from a premise, providing permissible reasons for ejection, clarifying the fines applicable to vehicular trespassing, providing for severability and establishing an effective date. [24-1452](#)

Attachments: [ORDINANCE No. 24- Trespassing \(final\)](#)

48. Consider approving an ordinance pertaining to Finance and Taxation, relating to City Contracts and Sales, amending Section 10-1-102, Article 10-1, Chapter 10, Lawton City Code 2015, by updating the definition of disqualified/ineligible vendor/contractor to include those who fail to perform terms or conditions or fail to provide product or service, providing for severability and establishing an effective date. [24-1472](#)

Attachments: [Ineligible Vendor Contractor Definition](#)

49. Consider an ordinance pertaining to Finance and Taxation, relating to General Bidding Requirements, amending Section 10-1-101, Article 10-1, Chapter 10, Lawton City Code 2015, by expanding the use of purchasing cooperatives, providing for severability, and establishing an effective date. [24-1555](#)

Attachments: [Competitive Bidding Ordinance](#)
[Brief Gist](#)

50. Consider approving an amendment to Council Policy 4-1 by including a provision that allows for a minimum 2% increase from previous year's allocated budget to fund mill and overlay and panel replacement for city streets and to adequately fund citizen-usable amenities for city parks. [24-1556](#)

Attachments: [Proposed Council Policy 4-1](#)
[Proposed Council Policy 4-1 with Track Changes](#)

51. Receive an update on the Bulk Waste Program and take action as deemed necessary. [24-1469](#)

Attachments: [Bulky Waste 4 23 24](#)

52. Receive reports on Gore Blvd Traffic Study and direct staff to make an application to ODOT for the carbon reduction grant funds to be utilized towards signal improvements from 2nd St to Lawrie Tatum Rd on Gore Blvd, findings from Traffic Engineer TEC. [24-1495](#)

Attachments: [Lawton Traffic Flow Improvement Study- WSB City Council meeting-05142024 \(1\)](#)
[Lawton Gore Boulevard Presentation - TEC](#)
[040224 TPB AIC Carbon Reduction Grant project selection \(1\)](#)

STAFF REPORTS:

- 53. Provide City Council with an update on the FY 2023 Audit Process [23-991](#)
- 54. Receive an update on the implementation and success of Council Policy 6-1. [24-1470](#)
- 55. Receive a report on the fire department's need for a new fire station alerting system and direct staff as necessary. [24-1551](#)

EXECUTIVE SESSION ITEMS:

- 56. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending action with Oklahoma Department of Environmental Quality concerning a Notice of Violation issued by ODEQ to the City on February 14, 2024, in relation to the City of Lawton Municipal Solid Waste Landfill and the FY 2022 and FY 2023 financial assurance mechanism update, local government test, not having been submitted by December 31, 2022 and December 31, 2023, respectively, and, if necessary, take appropriate action in open session. [24-1536](#)
- 57. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending action in Comanche County District Court titled The City of Lawton, Oklahoma v. International Union of Police Associations, Local 24, and Nathan Ronan, CV-2023-205, and if necessary, take appropriate action in open session. [24-1548](#)
- 58. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss litigation in the case Gerald S. Ihler v. City of Lawton, CJ-2020-185, and if necessary, take appropriate action. [24-1558](#)

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."