

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
MAY 22, 2007 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF CITIZEN OF THE MONTH TO CHARLES BRYANT

PRESENTATION OF PROCLAMATION FOR SAFE BOATING WEEK

ANNOUNCEMENT OF ARTS FOR ALL POSTER CONTEST

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 resolutions authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Shirley Newton in the amount of \$306.63 and Lawton Public Schools in the amount of \$182.62. Exhibits: Legal Opinions/Recommendations. Page 1
2. Consider the following damage claim recommended for denial: Southwestern Bell Telephone in the amount of \$1,981.01. Exhibits: Legal Opinion/Recommendation. Page 6
3. Consider approval of the Agreement for Administrative Professional Services with Amanda Trankovich, 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. Page 9
4. Consider approving a renewal Agreement effective July 1, 2007 through June 30, 2008 between the State of Oklahoma Office of Juvenile Affairs and the City of Lawton for the continued operation and management of a Community Intervention Center in Lawton, and authorize execution of the renewal Agreement and an Affidavit of Assignment authorizing payment directly from the State to Marie Detty as the CIC subcontractor. Exhibits: Renewal Agreement and Affidavit of Assignment on file in City Clerk's Office. Page 12
5. Consider approving a renewal Agreement between the City of Lawton and the Marie Detty Youth and Family Service Center, Inc. for the continued operation and management of the Community Intervention Center in Lawton and authorize execution of the renewal Agreement and any associated documents. Exhibits: Agreement with Marie Detty Youth and Family Service Center, Inc., is on file in the City Clerks Office. Page 13

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 Karen Clark in the Workers' Compensation Court, Case No. 2005-15386 L. Exhibits: Resolution No. 2007-____. Page 14
7. Consider adopting a resolution authorizing the City Attorney to initiate a friendly suit in favor of Maurice Neil Morgan in the amount of \$18,454.85 and ratifying the actions of the City Attorney and the City Manager in directing our third party administrator to make weekly payments on the balance of the judgment in the Workers' Compensation case of Maurice Neil Morgan in the Workers' Compensation Court, Case No. 2005-14769 X. Exhibits: Resolution No. 2007-____. Page 16
8. Consider approving a Resolution establishing a committee composed of seven (7) members, three of whom to be Councilmembers and four from City staff, to be appointed by the Mayor and confirmed by the Council to be known as the Council Committee For Emergency Services. Exhibits: Resolution No. 07-____, Mayor's Memorandum dated April 19, 2007. Page 19
9. Consider approving an Outside Water Sales Contract with Daymon and Linda Reinwand, and authorize the Mayor and City Clerk to execute the Contract. Exhibits: Location Map. Contract is on file in the City Clerk's office. Page 22
10. Consider a Resolution decreasing the petty cash account for the City of Lawton City Clerk's Office. Exhibits: Resolution 07-____. Page 24
11. Consider approving a Mutual Aid Agreement for Fire and EMS Protection between the City of Lawton Fire Department and Fort Sill Fire Department. Exhibits: Memorandum of Understanding between United States Army Garrison (USAG) Fort Sill and City of Lawton fire Department. Page 26
12. Consider approving Addendum 3 and 4 Master Services Agreement between the City of Lawton and Southwestern Bell Telephone, L.P. D/B/A AT&T Oklahoma. Exhibits: Addendum 3 and 4 to the Master Services Agreement between the City of Lawton and Southwestern Bell, L.P. D.B.A. AT&T Oklahoma. Page 31
13. Consider authorizing a new non-exclusive license agreement with Pin High Investments for the placement of bus benches and shelters with advertising on public street rights-of-ways along LATS routes. Exhibits: Letter from Pin High Investments of Lawton. Page 40
14. Consider approving a contract with the Historical Association of the Lawton Rangers in the amount of \$ 1,000.00 for cultural programming in the Lawton Metropolitan Area for an event that commemorates the state's centennial. Exhibits: Contract on file in City Clerk's office. Page 42

15. Consider adopting a resolution designating places and times within municipal jurisdiction to discharge fireworks on July 4, 2007. Exhibits: Resolution No. 07-____. Page 43
16. Consider accepting a grant from the Oklahoma Department of Human Services for the Retired and Senior Volunteer Program (RSVP) for Fiscal Year 2007-2008 funding. Exhibits: Contract on file in City Clerk's Office. Page 45
17. Consider approving Change Order No. 1 to the construction plans for a 12-inch waterline to be constructed in the 7600 block of NW Cache Road to serve Southwest Plaza. Exhibits: Location Map. Page 46
18. Consider approving Change Order No. 2 for the West Cache Road 24" Waterline Phase II Project #2005-8 with Howard Construction, Inc. Exhibits: None. Page 48
19. Consider extending the contract award period of thirty (30) days to ninety (90) days for the Water Infrastructure Improvement Phase 1 (Lines) Project #2006-8. Exhibits: None. Page 49
20. Consider approving and authorizing the Mayor and City Clerk to execute an agreement with Chevron Energy Solutions Company (Chevron USA) to perform an energy audit of selected City of Lawton facilities and operations in order to discover energy savings and use the savings to upgrade city assets. Exhibits: Energy Audit Agreement is on file. Page 50
21. Consider awarding (CL07-041) Compact Motor Grader to Kirby-Smith Machinery, Inc., of Oklahoma City, OK. Exhibits: Department recommendation, abstract of bids. Page 51
22. Consider awarding (CL07-039) Trench Shield to ICM of OKC, from Oklahoma City, OK. Exhibits: Department recommendation, abstract of bids. Page 54
23. Consider awarding (CL07-038) 15-Ton, Tandem Axle Trailers to Stallion Trailers, Inc., of Berry, AL. Exhibits: Department recommendation, abstract of bids. Page 58
24. Consider awarding (CL07-040) Custodial Maintenance Service Group 2&3 to Crystal Clear of New Mexico, LLC from Denver, CO. Exhibits: Department recommendation, abstract of bids. Page 61
25. Consider extending the contract (CL06-050) Moving Radars with Kustom Signals, Inc., of Lenexa, KS. Exhibits: Department Recommendation, Price Bid Sheet, Contract Extension Form. Page 66
26. Consider extending the contract (CL06-054) Copper and Brass (Items 1-107) with Water Products of Oklahoma, Inc., of Owasso, OK, and spot-bidding Items 108-109 when needed. Exhibits: Department Recommendation, Price Bid Sheet/Specs, Contract Extension Form Page 71
27. Consider extending the contract (CL94-025) E-911 Equipment and Support Services with AT&T Oklahoma (formerly SBC) of Oklahoma City, OK. Exhibits: Department Recommendation, Service Upgrade Form, Contract Extension Form. Page 79

28. Consider awarding (CL07-045) Jail Food and Supplies to Indian Nation Wholesale Company of Durant, OK. Exhibits: Department recommendation, abstract of bids. Page 83
29. Consider approving appointments to boards and commissions. Exhibits: None Page 89
30. Consider approval of payroll for the period of May 7 – 20, 2007.

OLD BUSINESS ITEMS:

31. Hold a public hearing and consider a resolution amending the 2025 Land Use Plan from Professional Office to Commercial and an ordinance changing the zoning from R-1 (Single-Family Dwelling District) to C-1 (Local Commercial District) zoning classification located at 2128 NW Bell Avenue. Exhibits: Resolution No. 07-____; Ordinance No. 07-____; Revised Drawing and Agenda Item Commentary from May 8, 2007. Page 92

BUSINESS ITEMS:

32. Hold public hearings and adopt resolutions declaring the structure(s) at 1621 S.W. Garfield Avenue, 1804 S.W. Garfield Avenue, 1625 S.W. Garfield Avenue, 1106 S.W. “D” Avenue, 1315 S.W. Bishop Road, 1319 S.W. Bishop Road, 809 S.W. 4th Street (Abdenour Achab), 809 S.W. 4th Street (David Williams) to be dilapidated public nuisances, thus causing a blighting influence on the community and detrimental to the public’s health and safety. Authorize the City Attorney to commence legal action in district court to abate each nuisance. Further authorize Neighborhood Services to solicit bids to raze and remove each dilapidated structure, if necessary. Exhibits: Eight Resolutions. Summary documents with supporting photos, reports from the Fire Marshal, Housing Inspectors, and case history are available from Neighborhood Services. Page 107
33. Consider a request by Kelley Haahsy-Bass, representing the Mountain Metro Ambucs of Lawton, Oklahoma, to allow a section of land located in the McMahon Park, 38th & Lee Boulevard, to be established as a baseball “Miracle Field” specifically designed to accommodate special needs children and young adults. Exhibits: Letter from Kelley Haahsy-Bass dated March 29, 2007 and location map. Page 132
34. Discuss future operations and existence of municipal golf course. Exhibits: None. Page 136
35. Discuss and take appropriate action as necessary concerning a request to consider a cost share assistance with AEP/PSO for the cost of required fire hydrants and water line improvement/installation that are related to their building project located at 226 SE “B” Ave. Exhibits: Letter dated May 3rd, 2007 from Mr. Robbie Dutton, AEP/PSO. Letters dated March 16th, 2007 and December 8th, 2006 from Darin Huffman, Project Manager, T.P. Enterprises, Inc. to Mr. Robbie Dutton, AEP/PSO. Letter dated November 27th, 2006 from James Crow, City of Lawton, Planning, to T.P. Enterprises, Inc. and attached Building Permit Site Review Check List (dated November 15th, 2006). Page 137

36. Discuss current refuse collection system policies and take appropriate action if necessary. Exhibits: None. Page 147
37. Discuss the need for R-3 Multiple-Family Dwelling District and R-4 High Density Apartment District and take appropriate action if necessary. Exhibits: Article 15-5, Chapter 15, Lawton City Code, 2005 and Division 18-5-5 and Division 18-5-6, Article 18-5, Chapter 18, Lawton City Code, 2005. Page 148
38. Discuss the necessity of amending the BAT (Breeding/Advertising/Transfer) permit for commercial pet stores. Exhibits: Letter from M&M Pet Shop, Inc. Page 161
39. Consider an ordinance amending Sections 7-13-1-1302 and 1319, Division 7-13-1, Article 7-13, Chapter 7, Lawton City Code, 2005, by providing a definition of harmful to minors and inappropriate violence and prohibiting billboards or other exterior advertising signs for an adult cabaret or sexually oriented business within one mile of any state highway, providing for severability and declaring an emergency. Exhibits: Ordinance 2007-____. Page 164
40. Consider receiving a report on the City's financial condition for the 3rd Quarter of Fiscal Year 2006-2007, and provide direction to staff. Exhibits: None. Page 173

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

EXECUTIVE SESSION ITEMS

41. Pursuant to Sections 307B.3 and 307D., Title 25, Oklahoma Statutes, consider convening in executive session to discuss the appraisal of a 3.34 acre tract located at 611 SW Bishop Road and the potential sale of the tract at public auction, and if necessary, take appropriate action in open session. Exhibits: Commentary from November 14, 2006. Page 174
42. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending Workers Compensation claim of Stephen Handy, and if necessary, take appropriate action in open session. Exhibits: None Page 176
43. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending claim by Marion Newton, and if necessary, take appropriate action in open session. Exhibits: None Page 177
44. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending lawsuit of Anthony Zinn, Case No., CJ-2005-1108, against the City of Lawton, and if necessary, take appropriate action in open session. Exhibits: None. Page 178
45. Pursuant to Section 307B(4) Title 25 Oklahoma Statutes, consider convening in executive session to discuss Case No. 04-290 before the Oklahoma Department of Environmental Quality, Land Protection Division, In the Matter of: City of Lawton Mercury Release from Wastewater Treatment Plant, and if necessary, take appropriate action in open session. Page 179

46. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss reopening negotiations for a Collective Bargaining Agreement for FY 2007-2008 between the Fire Union IAFF, Local 1882, and the City of Lawton, and take appropriate action in open session. Exhibits: None. Page 180

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."